UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/1990/5/Add.38
30 June 1998

ENGLISH
Original: ENGLISH

Substantive session of 1998

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

Egypt*

[Original: ARABIC]
[18 November 1997]

---

* The information submitted by Egypt in accordance with the guidelines concerning the initial part of reports of States parties is contained in the core document (HRI/CORE/1/Add.19).

GE.98-16699 (E)

CONTENTS

	Paragraphs	Page
Introduction	1 - 3	3
I. GENERAL INFORMATION CONCERNING THE STATE PARTY	4 - 42	3
A. Socio-economic and cultural indicators	5 - 10	3
B. General legal framework within which human rights are protected	11 - 37	6
C. Information and publicity concerning the International Covenant on Economic, Social and Cultural Rights	38 - 42	12
II. THE SUBSTANTIVE PROVISIONS OF THE ARTICLES OF THE COVENANT	43 - 260	13
Article 1	43 - 49	13
Article 2	50 - 63	14
Article 3	64 - 70	18
Article 4	71 - 74	20
Article 5	75 - 76	21
Article 6	77 - 93	21
Article 7	94 - 103	26
Article 8	104 - 118	30
Article 9	119 - 131	33
Article 10	132 - 146	36
Article 11	147 - 170	48
Article 12	171 - 193	55
Article 13	194 - 231	61
Article 14	232 - 236	69
Article 15	237 - 260	71
Conclusion	261 - 263	77

Introduction

1. Egypt submits the present report in accordance with articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights and pursuant to Economic and Social Council resolution 1988 (LX). In conformity with the guidelines for the preparation of reports, this report comprises two parts: Part I contains general information about the State party while Part II deals with the substantive provisions of the articles of the Covenant.

2. Egypt signed the Covenant on 4 August 1967. Presidential Decree No. 537 of 1 October 1981 approved Egypt's accession to the Covenant, which was consequently ratified and published in the country's Official Gazette No. 14 of 8 April 1982. The Covenant entered into force on 14 April 1982, three months after the deposit of the instrument of ratification, in accordance with article 27 of the Covenant.

3. Egypt expressed a general reservation to the effect that account should be taken of the need to ensure that the Covenant was not incompatible with the provisions of the Islamic Shari'a. However, the practical implementation in Egypt of the provisions of the Covenant, as one of the country's laws, from 14 April 1982 to date has not revealed any incompatibility between the provisions of the Islamic Shari'a and the principles and rights set forth in the Covenant and relating to its field of application.

I. GENERAL INFORMATION CONCERNING THE STATE PARTY

4. Information relating to the country's land and people and to the general political structure may be found in previous documents submitted to the treaty-monitoring bodies. The present report will therefore provide only supplementary information.

A. Socio-economic and cultural indicators

5. General indicators:

Land area (in thousands of km^2): 997.7.

Population: 61.4 million persons (51.2 per cent male and 48.8 per cent female) according to the 1996 census.

Annual population growth rate: 2.1 per cent in 1996, as compared with 2.8 per cent in 1986.

Proportion of population under six years of age: 15.1 per cent, as compared with 19.2 per cent in 1986.

Proportion of population from 6 to 10 years of age: 9.2 per cent, as compared with 9.1 per cent in 1986.

Proportion of population from 10 to 15 years of age: 10.7 per cent.

Proportion of population from 15 to 60 years of age: 59.9 per cent, as compared with 53.8 per cent in 1986.

Proportion of population over 60 years of age: 5.1 per cent, as compared with 6.2 per cent in 1986.

Gross national product: LE 20,628 million in 1981/82 and LE 34,028 million in 1991/92.

Growth rate: 5.5 per cent. Annual growth rate of per capita share of GNP: 5.2 per cent.

Per capita income: $699.

The rate of inflation dropped from 21.1 per cent to 7 per cent in August 1994 and 5.5 per cent in 1996.

The overall public budgetary deficit dropped from 24.4 per cent in 1987/88 to 2.6 per cent in 1993/94 and 1.5 per cent in 1996.

The balance of payments showed a surplus from 1989/90 which amounted to $2.8 billion in 1993/94.

The debt servicing burdens from current receipts dropped to 15 per cent in 1993/94.

The rate of unemployment dropped to 9.2 per cent in 1992 (governmental declaration).

Proportional governmental spending on education in 1994/95 amounted to 18 per cent of current expenditure, as compared with 12.6 per cent in 1990/91.

Proportional governmental spending on health services in 1994/95 amounted to 4.5 per cent of current expenditure, as compared with 3.4 per cent in 1990/91.

The literacy rate rose in the following manner:

	1960	1986
Over 15 years of age	25.8	44.5
15-19 years of age	38.3	65.5

Illiteracy rate in the age group 10 years and above in 1996: 38.6 per cent, as compared with 49.6 per cent in 1986.

Proportion of persons holding qualifications lower than university level: 32.8 per cent in 1996, as compared with 27.4 per cent in 1986.

Proportion of persons holding university qualifications: 7.3 per cent in 1996, as compared with 3.1 per cent in 1986.

Economic reform

6. Since the late 1950s, the Egyptian economy has passed through several stages of transformation from the Arab socialist system to the economic "open-door" policy at the beginning of the 1970s and, subsequently, the stage of the free economy governed by market mechanisms. Since moving to the latter stage, Egypt has had to rectify the structural imbalances in its economy, which was done through a comprehensive economic and structural reform programme simultaneously covering all fields with a view to freeing the Egyptian economy from all the administrative and legal restrictions imposed during the previous stages and utilizing all the resources of society in order to gradually achieve economic and social stability at a pace suited to the factors that influence social stability.

7. The second five-year plan ended in mid-1992, at which time the average annual growth rate in GNP stood at 5 per cent and investment expenditure amounted to about LE 175 billion, approximately half of which was allocated to infrastructural reform operations (transport and communications, Suez Canal, housing and electricity and public utilities). The implementation of the first and second plans produced significant results, such as the total renovation of the economic base, the removal of restrictions on interest rates with effect from January 1991 and the deregulation of foreign exchange rates and the foreign exchange market in October 1991. Within the framework of financial reform, the deficit in the State's public budget was reduced to 7.1 per cent in 1991/92 by decreasing spending within safe limits that were not detrimental to limited-income groups, adopting modern fiscal regimes to increase resources, introducing a sales tax and restructuring the Customs tariff. This led to an evident increase in sovereign and current receipts and transfers and brought the annual inflation rate down to 7.5 per cent in 1996 within the framework of the pricing policies, the deregulation of the prices of many industrial goods, the correction of the prices of energy (petroleum, gas and electricity) and transport, the abolition of the compulsory purchase of agricultural crops, the removal of restrictions on the import of production requirements in the private sector and the establishment of the business management sector in order to liberalize public corporations through gradual subjection to the market system. Foreign trade was also liberalized by lifting the ban that had been imposed on the import of most commodities (71.5 per cent) and reducing the list of conditional imports from 55 to 9 commodities. The State embarked on a process of privatization with a view to transferring some companies from the public or business sector to the private sector in an endeavour to expand and strengthen the latter so that it could play an effective role in the overall development plans and programmes. In fact, the State has gone a long way towards privatization.

8. As a result of these successful economic policies that it has pursued, Egypt has become more open to the outside world and, by virtue of its links of close international cooperation, has secured the cancellation of its debts to some countries (the United States military debts and the external Arab debts), a reduction in 50 per cent of Egypt's debts to 17 creditor States (the Paris Club) and a rescheduling of the remaining half. The implementation of the first and second stages of the proportional debt reduction led to an appreciable improvement in the balance of payments and the external debt burden.

9. The economic reform programmes in the third five-year plan continued to focus on the need for greater and more productive investment, completion of the foreign trade liberalization process, an increase in the volume of commodity exports, the creation of new employment opportunities for young persons, the development of education and a better standard of health services in order to improve the situation of Egyptian citizens, raise their standard of living and enhance their ability to shoulder the burdens of life, taking care to extend the time frame of the economic reform programmes in such a way as to ensure that they did not overload the capacities of the Egyptian population. This was confirmed in the statements and declared policy of the Government which, in April 1997, announced the details of its long-term socio-economic reform programme to the year 2017 in the form of four future five-year plans.

10. In this connection, it is noteworthy that Acts Nos. 89 and 90, promulgated in 1997, approved the fourth five-year socio-economic development plan for the years 1997/98-2001/02. The aim of the plan is to achieve a 39.9 per cent increase in GNP at an average annual rate of 6.9 per cent (6.2 per cent during the first year). The plan also seeks to promote investment expenditure in the economic sectors and on human development services such as education, health and housing, as well as utilities, electricity, agriculture, irrigation and trade.

B. General legal framework within which human rights are protected

11. The Egyptian legal system is based on the Constitution, which is the basic law establishing the structure of the State and defining its system of government, the powers of its public authorities, the rights and freedoms of individuals and the fundamental guarantees of those rights.

12. The Constitution occupies a special place in the hearts of Egyptians, since it was a historic nationalist demand that formed the focal point of the patriotic struggle from the beginning of Egypt's modern era in 1805 until the proclamation of the country's first Constitution of 1882, which was repealed as a result of the British occupation. However, the patriotic struggle continued until the proclamation of the Independence Constitution of 1923, which was followed by successive Constitutions reflecting the political circumstances that the country experienced until the proclamation of its Permanent Constitution of 1971, which is the Constitution currently in force.

13. The present Constitution was proclaimed shortly after Egypt signed the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (4 August 1967). Accordingly, the Constitution, being the fundamental legal instrument defining the rights and freedoms of individuals and the guarantees required for their protection, naturally embodied all the principles and standards concerning human rights and freedoms as set forth in the preceding international instruments and conventions, particularly the two Covenants.

14. It is noteworthy that the Egyptian Constitution was proclaimed after the holding of a popular referendum on 11 September 1971. On 22 May 1980, following another popular referendum, some articles of the Constitution were amended in order to establish a second parliamentary body, namely the Advisory

Council, and a Supreme Press Council to promote the freedom and independence of the press. These amendments, which were made before Egypt's deposit of the instruments of its accession to the above-mentioned Covenants, were in response to the political, economic and social changes that had taken place and were intended to keep pace with the new international developments in the vital field of human rights and freedoms.

15. All the principles of human rights are embodied in the various chapters and articles of the Egyptian Constitution. The rights forming the subject of this report are dealt with in articles 7, 8, 9, 13, 14, 16, 17, 18, 20, 21, 23, 34, 35, 36, 38, 39, 40, 46, 47, 48, 49, 55 and 56, to which detailed reference will be made in the second part of this report which supplements the information already submitted in Egypt's second report on the International Covenant on Civil and Political Rights.

16. From the above, it is evident that, in the Egyptian legal system, the principles of human rights enjoy the status of constitutionally established rules which, from the hierarchical standpoint, rank higher than legally established rules and, consequently, must be respected by the legislature in any enactments that the latter promulgates and which, as already indicated, rank lower in the legislative hierarchy.

17. The fact that the principles of human rights and freedoms are embodied in the Egyptian Constitution offers the following important advantages:

(a) They enjoy immutability, stability and inviolability unless the necessary steps are taken to amend the Constitution, which inevitably entails a popular referendum (article 189 of the Constitution);

(b) Being constitutional rules, they rank higher than other legal rules established by the legislative or any other authority, which is obliged to act in accordance therewith and to refrain from any violation thereof;

(c) They are accorded legal protection by the Supreme Constitutional Court, which was established to rule on the constitutionality of legislation and the decisions of which are binding on all the State authorities;

(d) They enjoy the special guarantee accorded to all the human rights and freedoms recognized in the Egyptian Constitution. According to article 57 of the Constitution, any violation of any of the constitutionally guaranteed rights and freedoms of individuals constitutes an offence in respect of which civil or criminal proceedings are not statute-barred and the State guarantees compensation.

18. In this context we will consider, in a fairly detailed manner, the legal status of human rights instruments, the guarantor authorities and available means of redress. In this connection, it should also be noted that all these rights are subject to the constitutional principle embodied in article 40, namely that all citizens are equal before the law and in regard to their public rights and obligations, without discrimination among them on grounds of sex, origin, language, religion or belief.

1. The legal status of human rights instruments in Egypt

19. In Egypt, international treaties in general are governed by the rules set forth in article 151 of the Constitution under which, following completion of the requisite procedures, such treaties are deemed to constitute part of the country's legislation. Paragraph 1 of the above-mentioned article stipulates that: "The President of the Republic shall be empowered to conclude international treaties and transmit them, together with an appropriate statement, to the People's Assembly. Such treaties shall acquire the force of law after their conclusion, ratification and publication in accordance with the requisite procedures". Accordingly, following their ratification and publication, international instruments concerning human rights and freedoms are regarded as equivalent to laws promulgated by the legislative authority and, consequently, their provisions are equivalent to those of the applicable Egyptian legal texts which are enforceable before all the State's legislative, executive and judicial authorities.

20. In view of this legal status of human rights instruments in Egypt, the principles of human rights and freedoms as set forth in international instruments enjoy two important advantages in Egypt.

(a) The protection accorded to constitutional rules

21. As already indicated, the principles of human rights and freedoms, being incorporated in the text of the Constitution, enjoy the protection accorded to the constitutional rule that all legal texts actually in force at the time of proclamation of the Constitution but which violate or conflict with those principles are unconstitutional. This also applies to any enactments that might be promulgated by the legislative authority after the entry into force of the Constitution. Hence, any interested party can, at any time, apply to the Supreme Constitutional Court in accordance with the prescribed procedure in order to obtain a ruling designating those texts or enactments as unconstitutional. The rulings handed down by that Court are final and binding on all the State authorities and are published in the country's Official Gazette.

(b) The protection accorded to legal rules

22. Since such instruments are regarded as part of the country's legislation, all their provisions are applicable and can be directly and immediately invoked before all the State authorities, which are bound by their provisions and the rules stipulated therein. Accordingly, anyone who suffers detriment as a result of their non-application has a direct right to resort, in accordance with the prescribed procedure, to the court competent to hear the type of offence involved in order to enforce his rights in this regard.

2. The guarantor authority and available means of redress

23. From the above, it is evident that, in accordance with the constitutional principles and the legal rules on which the Egyptian legal system is based, all the State authorities, in the discharge of their tasks and in the exercise of their respective functions, are bound by and must ensure compliance with the constitutional and legal rules concerning human

rights and freedoms. The independent judicial authority, acting through its various bodies, makes every means of redress available to all in a manner consistent with the type of dispute, the parties thereto, the rights claimed or the violations committed.

24. The judicial bodies responsible for guaranteeing the public rights and freedoms of all and which constitute the available means of redress for individuals in the Egyptian legal system consist in the various branches of the judicial authority: the Supreme Constitutional Court, the civil and criminal courts and the Council of State (the administrative courts). Each of these is reviewed in detail below:

(a) The Supreme Constitutional Court

25. The Supreme Constitutional Court is the judicial body competent to rule on the constitutionality of laws and regulations and to interpret legislative texts. Having exclusive competence to rule on these matters, it is therefore a specific type of specialized court enjoying independent status.

26. This Court was established under the terms of the 1971 Constitution (chap. V, sect. 5, arts. 174-178) to replace the Supreme Court which had been established by Act No. 81 of 1969 but which had been abolished by Act No. 48 of 1979 concerning the Supreme Constitutional Court. This Court is an independent and autonomous judicial body based at Cairo. Its members cannot be dismissed. Its rulings on constitutional matters and its interpretative decisions are published in the Official Gazette. Its rulings are binding on all the State authorities and, once they have been handed down and published in the Official Gazette at the legally specified time, any text that is declared therein to be unconstitutional is automatically abrogated and becomes inapplicable on the day following the publication of the ruling. If the text that is declared unconstitutional has a bearing on criminal procedure, any convictions that have been handed down on the basis thereof are deemed to be null and void. Under the terms of the Act, petitions for specification of the body responsible for enforcement or for the settlement of disputes concerning implementation are exempted from fees. A fixed fee of LE 25 is payable in respect of constitutional actions in order to facilitate the process of recourse to the Constitutional Court and prevent judicial fees from becoming a burden or an impediment that might deter individuals from exercising their right in this regard.

27. The Supreme Constitutional Court has handed down numerous rulings concerning human rights in general and has declared a number of legislative texts to be unconstitutional on the ground that, in the Court's opinion, they violated, contradicted or restricted those rights and freedoms. Reference will be made to these rulings in the body of the report.

(b) The judicial authority

28. Reference is made to the judicial authority in chapter V, section 4, of the Constitution, articles 165-173 of which stipulate that the judiciary shall be independent, that judges shall be independent and subject to no authority other than the law, that no interference in their work shall be permitted and that they shall not be liable to dismissal.

29. Article 172 of the Constitution stipulates that the Council of State shall be an independent judicial body competent to adjudicate in administrative disputes and disciplinary actions.

30. From the above, it can be seen that the judicial authority in Egypt is divided into the various levels of civil and criminal courts, administrative courts and the Council of State, each of which will be considered separately.

31. The civil and criminal courts. The civil and criminal divisions of the courts are competent to adjudicate in all types of civil disputes and also in criminal cases involving legally designated offences. They adjudicate therein in accordance with the law, within the framework of the disputes brought before them, in the light of the constitutional principles in force and in a manner consistent with the rules and procedures laid down in the Code of Civil Procedure or the Code of Criminal Procedure applied by the criminal courts. Each of these Codes regulates the levels and types of courts, the extent of their jurisdiction, the stages of appeal against their judgements, means of judicial remedy, the procedures for the hearing of proceedings and the safeguards that must be provided for plaintiffs and defendants. By law, any person who has suffered detriment as a result of an offence has the right to bring a civil action for damages before the criminal court hearing the proceedings in connection with the legally designated offence in question. These offences obviously include violations of the public rights and freedoms of individuals.

32. The administrative courts and the Council of State. During the exercise of its powers and functions and the consequent issue of decrees or ordinances affecting the interests of individuals or groups, regardless of whether they relate to measures that it is obliged to take or services that it provides for citizens, the executive authority is obviously bound by all the constitutional principles and legal rules in force in the country and, within the limits of its jurisdiction, must act in the public interest and endeavour to promote the welfare of citizens on the basis of purely objective criteria and in accordance with the legal principles in force.

33. The Council of State and the administrative courts are a means of judicial remedy to which anyone can resort in order to contest decisions taken by the executive authority, regardless of whether such decisions are positive or negative (in the sense of a failure to take a decision or the requisite action). The administrative courts can be petitioned to annul decisions which infringe legal or jurisdictional limits, which are defective in form or which are vitiated by faulty application or interpretation or by an abuse of authority. Compensation can also be claimed in this respect.

34. The Council of State is an independent judicial body (article 172 of the Constitution). The Council of State Act No. 47 of 1972 defines the competence of the Council's courts to adjudicate in appeals against final decisions and applications for the annulment of administrative decisions and for payment of compensation in respect thereof for the above-mentioned reasons. A refusal to take a decision is, in itself, regarded as an administrative decision. These courts are also competent to hear appeals against disciplinary decisions. In addition, the Act regulates the channels, procedures and stages of appeal

against judgements. The Act regards abrogating judgements as binding on all and a refusal to implement them is deemed to constitute an offence punishable in accordance with the Egyptian Penal Code (art. 123).

35. Our above review of the legal status of human rights instruments in Egypt and of the available means of redress under the country's judicial system clearly shows that any interested party can apply to either branch of the judicial authority (the ordinary courts or those of the Council of State), depending on the nature and type of the dispute and the rights arising therefrom or claimed therein, in order to demand his rights or uphold his claims either before the ordinary courts, by prosecuting the accused party and claiming compensation in respect of the damage suffered, if the violation of his rights or freedoms constituted a legally designated offence, or by solely claiming compensation in other cases, or before the administrative courts by demanding the annulment of defective administrative decisions and payment of appropriate compensation in respect thereof.

36. In either case, the petitioner can demand the direct enforcement of the provisions of those instruments, if applicable, in their capacity of part of the Egyptian legislation in force in accordance with the provisions of the Constitution. If, during the various stages of the proceedings, legislative texts or regulations prevent him from achieving his legitimate aims and purposes in accordance with the rights and freedoms recognized in those instruments, he can contest the constitutionality of those legal texts before the Supreme Constitutional Court on the ground that they violate the constitutional principles on which those rights and freedoms are based. In this case, the court hearing the proceedings must suspend the hearing until a decision has been taken on the constitutionality of the contested legal text. The court resumes its hearing of the proceedings after a ruling thereon has been handed down by the Supreme Constitutional Court. The lower court must abide by the decision reached by the Constitutional Court in its ruling which, as stipulated in the Constitution, is binding on all the State authorities.

37. In this connection, the following two points should be borne in mind:

(a) Article 40 of the Constitution, which embodies the principle of equality before the law and non-discrimination on grounds of sex, origin, language or belief, applies to all the above-mentioned means of redress in the same way as it applies to all the rights and freedoms provided for in the Covenants on human rights and the Constitution;

(b) In one of its rulings, the Constitutional Court stipulated that the right of legal redress in the country is guaranteed to all citizens and foreigners in accordance with the same safeguards needed for the administration of justice. It stipulated that, under the terms of article 68 of the Constitution, the State had an obligation to ensure that every citizen or foreigner enjoyed easy access to its courts, as well as the necessary protection of their recognized rights, with due regard for the fundamental safeguards needed for the effective administration of justice in accordance with the standards set in the developed countries.

C. Information and publicity concerning the International Covenant on Economic, Social and Cultural Rights

38. As already mentioned, following completion of the procedures for its ratification, the said International Covenant was published in the Official Gazette, which appears in Arabic and contains all the country's legislation and presidential decrees, as well as international conventions. Publication in the Official Gazette is important as a means to ensure that everyone is informed of the legislative enactments promulgated. It also determines the date of their entry into force in the country. The Official Gazette is published in consecutive and special issues and can be purchased by anyone at establishments specializing in the sale of government publications. It can also be posted to subscribers. The Official Gazette, which is sold at nominal prices lower than production cost in order to make it easy to obtain, is an important periodical which public and private libraries are eager to possess as a reference work. It is also in great demand by all persons working in the legal field since, in accordance with article 188 of the Constitution, all legislation must be published in the Official Gazette within two weeks from the date of its promulgation and enters into force one month from the day following the date of its publication therein unless otherwise stipulated. Legal provisions can be applied only with effect from their date of entry into force although, in non-criminal matters, a stipulation to the contrary may be made by a majority vote among the members of the People's Assembly in accordance with article 187 of the Constitution. While publication in the Official Gazette is a means to draw public attention to legislation and determines not the date of its entry into force, as well as its scope and its field of application which are matters of concern primarily to jurists, international human rights instruments are also of great interest to all sections of the Egyptian people. Accordingly, as a token of its commitment to the provisions of those instruments, the Government is eager to make them widely known and understood by seeking to ensure that the application of their lofty humanitarian values concerning human rights and freedoms is closely linked to the social education process since this is the only way to shape the behavioural patterns of future generations and guarantee that they are imbued with those values, aware of the benefits derived from enjoyment of those rights and eager to safeguard their fruits.

39. Hence, in Egypt, the international human rights instruments are now basic subjects that are taught at faculties of law, police academies and specialized national centres, the students of which will be firmly committed to their aims, to the implementation of their provisions and to the effective defence of the rights of others. They will also undoubtedly be capable of expanding the scope of application of those provisions in the functions that they will be assuming by virtue of their qualifications. Moreover, Egypt has endeavoured to develop the educational curricula at all academic levels in order to make the lofty principles, purposes and provisions of those instruments more widely known.

40. Needless to say, the endeavours that the State is making to eradicate adult illiteracy, as a constitutionally prescribed national duty, are effectively helping to promote awareness of the instruments concerning human rights and freedoms by enabling newly literate persons to familiarize

themselves with, and fully enjoy, those rights. This is undoubtedly the best way to ensure a steady increase in the number of persons capable of understanding and defending their rights.

41. In addition, trade unions, professional associations and non-governmental organizations, in their capacity as legal entities with branches in all parts of the country, are playing a leading role in familiarizing people with these rights and freedoms by using methods appropriate to the nature and circumstances of each occupation, profession or place. These governmental and non-governmental endeavours to eradicate adult illiteracy and provide information and cultural services in all parts of the country also indirectly play an important role in promoting greater awareness of the international instruments concerning human rights and freedoms among all communities and sections of society.

42. Detailed reference will be made to these endeavours and the programmes associated therewith in our comments on the relevant articles in the second part of this report.

II. THE SUBSTANTIVE PROVISIONS OF THE ARTICLES OF THE COVENANT

Article 1

43. The Egyptian Constitution proclaimed in 1971 took care to emphasize that sovereignty resides solely with the people, who are the source of authority and who exercise and protect this sovereignty in the manner stipulated in the Constitution (art. 3) on a democratic basis and within the framework of social guarantees.

44. Democracy is embodied in the constitutional commitment to the free election of the President of the Republic by the people, through the People's Assembly and a public referendum, and the people's choice of their representatives in the legislative authority through the direct election of the members of the People's Assembly and the Advisory Council. The rule of law is the basis of government in the State (article 14 of the Constitution). The independence and immunity of the judiciary and the State's subordination to the law constitute two basic guarantees of the protection of rights and freedoms (article 165 of the Constitution).

45. Moreover, the local people's councils, which are likewise constituted through direct elections, participate in the preparation and implementation of the development plan. Their relationship with the People's Assembly and the Government, and ways in which they can control the various activities of the Government, are regulated by law (articles 162 and 163 of the Constitution).

46. In accordance with the amendment of 22 May 1980, the Constitution now includes a new chapter (chap. VII) which made provision for the establishment of an Advisory Council, two thirds of the members of which are elected directly, the remainder being nominated, to give an opinion on legislation, constitutional matters, treaties of peace and alliance and other issues referred to it (articles 194-205 of the Constitution). Chapter VII also made provision for an independent popular press authority which fulfils its mission, in the public interest, in the manner specified in the Constitution

and the law. The right of journalists to obtain information was recognized and it was acknowledged that, in their work, they were subject to no authority other than the law (articles 206-211 of the Constitution).

47. Under the constitutional amendment of 22 May 1980, Egypt became a State the political and economic systems of which are based on democracy, political pluralism, protection of legitimate gains, reduction of disparities between social classes and guaranteed equitable distribution of public burdens and charges (articles 1, 4 and 5 of the Constitution).

48. This means that, through their constitutional institutions, the Egyptian people are able to freely express their opinions and ideas and exercise self-determination by effectively participating in the process of making and monitoring the implementation of decisions in all political, economic, social and cultural fields. The people also have full sovereignty over all their natural resources.

49. With regard to the third paragraph of article 1, it should be noted that Egypt is not responsible for the administration of any non-self-governing or trust territories in accordance with the provisions of the Charter of the United Nations.

Article 2

Legislative measures to ensure the full realization of the rights recognized in the Covenant

50. The rights recognized in the Covenant constitute an integral part of human rights and freedoms and, as such, all matters of the greatest concern to the State at the local, regional and international levels.

51. As already mentioned, the legislative measures that Egypt has taken consist in the incorporation of these human rights and freedoms in the Constitution which, being the highest-ranking legislative instrument, must be respected by all the State authorities and, in particular, by the legislative authority in all the enactments that it promulgates. In this connection, reference will be made to the articles of the Constitution concerning the rights recognized in the Covenant, leaving the legislative texts for our subsequent comments on the relevant articles.

52. Chapter II of the Egyptian Constitution defines the basic constituents of society in two sections dealing, respectively, with the social and moral constituents and the economic constituents. The first section embodies the following principles and rights:

(a) Social solidarity and the State's obligation to ensure equality of opportunity for all citizens (arts. 7 and 8);

(b) The State's obligation to preserve the authentic character of the Egyptian family, which is the cornerstone of society, to protect mothers and children and to cater for the welfare of the rising generation and youth (arts. 9 and 10);

(c) The State's obligation to reconcile women's duties towards their family with their work in society, to ensure their equality with men in all fields and to safeguard and protect morals (arts. 11 and 12);

(d) The State's guarantee of the right to work, with recognition of merit, prohibition of the imposition of forced labour, the right of access of all citizens to public office and the inadmissibility of their dismissal therefrom except as a disciplinary measure (arts. 13 and 14);

(e) The State's guarantee of free education in all State-run educational institutions, such education being compulsory at the primary level and the State being under an obligation to endeavour to make it compulsory at other levels, the universities being independent and the eradication of illiteracy being a national duty (arts. 18, 20 and 21).

53. The second section of chapter II of the Constitution embodies the following principles and rights:

(a) Organization of the national economy in accordance with a comprehensive development plan to ensure an increase in national income, its equitable distribution, improvement in the standard of living, elimination of unemployment, more employment opportunities and a guaranteed minimum wage (art. 23);

(b) Protection of public, cooperative and private ownership of property, which cannot be nationalized except as provided by law and in return for compensation, nor can it be sequestered except under the terms of a court order (arts. 28, 29, 30, 31, 32, 33, 34, 35 and 36).

54. From the above, it is evident that the principles and provisions contained in the Egyptian Constitution, which is the highest-ranking legislative instrument, are binding on all the State agencies, which have an obligation to respect the rights recognized in the Covenant forming the subject of this report. Fulfilment of that obligation obviously depends on the extent of the available resources, which the State must endeavour to develop in all fields by, inter alia, giving free rein to the capacities and investment initiatives of the Egyptian people in the manner shown by the figures contained in section III of Part I of this report.

Equality and non-discrimination

55. Under article 8 of the Egyptian Constitution, the State guarantees equality of opportunity for all citizens. Article 40 of the Constitution further stipulates that all citizens are equal before the law and in regard to their public rights and obligations, without discrimination among them on grounds of sex, origin, language, religion or belief.

56. Equality and non-discrimination are among the most important principles embodied in chapter III (Public freedoms, rights and obligations) of the Egyptian Constitution. In its rulings, the Constitutional Court has made it clear that the prohibited grounds for discrimination (sex, origin, language, religion or belief) referred to in the above-mentioned article 40 are not limitative but are merely the most commonly encountered in daily life.

Consequently, the provisions of that article apply to all forms of discrimination that prejudice or detract from the constitutionally guaranteed principle of equality and, therefore, all forms of discrimination must necessarily fall within the scope of application of that article and legal protection must be accorded to the constitutionality of the laws and regulations pertaining thereto.

57. In this connection, the Constitutional Court has established the legal principle that the forms of discrimination that run counter to the Constitution are boundless but consist primarily in differentiation, restriction, preference or exclusion that arbitrarily detract from the rights and freedoms guaranteed in the Constitution and the law either by denying their existence or rendering them inoperative in such a way as to prevent them from being exercised on an equal footing by all persons entitled to do so, particularly in the political, social, economic, cultural and other fields of public life.

58. From the above, it is evident that the articles of the Egyptian Constitution and the jurisprudence of the Supreme Constitutional Court are consistent with the provisions contained in the second paragraph of this article of the Covenant and also with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination, to which Egypt has acceded.

59. The following are some examples of the numerous rulings of the Supreme Constitutional Court in which legislative provisions that violate the principle of equality and non-discrimination have been declared unconstitutional:

(a) The Court ruled that the legislative provisions concerning the holding of general elections to the People's Assembly, the Advisory Council and the local councils on the basis of party lists were unconstitutional since they violated articles 8, 40 and 62 of the Constitution by preventing non-members of political parties from participating therein (Constitutional Case No. 31, judicial year 6, session of 16 May 1987, concerning the People's Assembly, and Case No. 23, judicial year 8, session of 15 April 1989, concerning the local councils);

(b) The Court ruled that the legislative provisions concerning the holding of general elections to the People's Assembly by combining the party list with the directly elected seat in each constituency were unconstitutional since they violated articles 8, 40 and 62 of the Constitution by discriminating between categories of candidates on the basis of a difference in their opinions (Constitutional Case No. 37, judicial year 9, session of 19 May 1990);

(c) The Court ruled that the special treatment in regard to admission to higher education, as provided for in the legislative texts requiring the admission of special categories in place of those to whom precedence should be granted in accordance with the established objective criteria for admission, was unconstitutional since it violated articles 8 and 40 of the Constitution by infringing the principle of equal opportunities and equality (Constitutional Case No. 106, judicial year 6, session of 29 June 1985);

(d) The Court ruled that article 27 of Act No. 136 of 1981, concerning the lease of premises, was unconstitutional since it differentiated between owners of real estate in regard to the privileges granted to them on the basis of their relationship with their tenants, thereby infringing the principle of equality required in article 40 of the Constitution (Constitutional Case No. 21, judicial year 7, session of 29 April 1989);

(e) The Court ruled that paragraph 6 of article 8 of Act No. 73 was unconstitutional since it prohibited holders of senior administrative posts from standing as candidates for membership of the boards of directors of companies in the public business sector, thereby infringing the principle of equality and discriminating, without objective reasons, between workers of similar legal status, which constituted a violation of the principle of equality (Constitutional Appeal No. 17 of 1994, session of 14 January 1995);

(f) The Court ruled that the text of the first paragraph of article 48 of the Trade Unions Act No. 35 of 1976 was unconstitutional since it prohibited the simultaneous holding of membership of the governing body of a trade-union organization and working membership of a professional association in the case of more than 20 per cent of the total members of the governing body, thereby violating articles 40, 47, 55, 56 and 62 of the Constitution concerning freedom of expression and association, freedom to vote and stand as a candidate in elections, and equality before the law (Constitutional Appeal No. 6, judicial year 15, session of 15 April 1995);

(g) The Court ruled that article 15 of the Practice of Law Act No. 17 of 1983 was unconstitutional since it prevented some categories of lawyers from exercising their profession before the courts of summary jurisdiction and first instance and equivalent bodies, thereby infringing the principle of equality and violating articles 40, 67, 68, 69 and 71 of the Constitution by denying a person's right to appoint a lawyer of his choice to act in his defence (Constitutional Case No. 6, judicial year 13, session of 19 February 1990).

Economic rights of non-nationals

60. Egyptian legislation regulates numerous matters concerning the residence and economic situation of non-nationals. We will consider these in the light of the following rights:

61. The right to work. The employment of foreigners is regulated by articles 26, 27 and 28 of the Labour Act No. 137 of 1981 which lay down three conditions for the employment of a foreigner in any commercial, financial, agricultural, industrial or other field in Egypt:

(a) Reciprocal treatment by the State whose nationality he bears;

(b) Issue of the requisite permit by the Ministry of Manpower;

(c) Authorization to reside in Egypt in accordance with the relevant legislation. The Act empowers the competent Minister to waive the requirement for the permit or reciprocal treatment if so requested by any of the official bodies concerned.

62. The right to own property. Egyptian law recognizes the right of foreigners to own property under specific circumstances and conditions. The law regulates this in the following manner:

(a) Act No. 230 of 1996, concerning the ownership of built-up land and vacant lots by non-Egyptians, regulates the conditions of ownership by permitting the possession of two pieces of real estate in any part of the Republic for purposes of family accommodation, without prejudice to the right to own the premises required for the exercise of authorized private activity. The Act sets the maximum area of each piece of real estate at 4,000 m^2. It also empowers the Council of Ministers to grant exemption from these conditions in cases in which the Council deems such exemption to be appropriate. The Act prohibits transfer of title to such property within five years from the date of its purchase and also sets five years as the deadline for completion of construction in the case of the purchase of a vacant lot. The Council of Ministers is empowered to place special conditions on the ownership of property in tourist and newly developed areas. The Act does not apply to cases covered by the law on investment, inheritance, premises required for private activity authorized by the Egyptian authorities, diplomatic missions and international organizations;

(b) Act No. 15 of 1963 prohibiting ownership of agricultural and desert land by foreigners;

(c) Act No. 143 of 1981, concerning desert land, which empowers the President of the Republic, with the approval of the Council of Ministers, to accord anyone holding the nationality of an Arab State the same treatment as Egyptians.

63. Social insurance. Under article 2 of the Social Insurance Act No. 79 of 1975, foreigners can benefit from the provisions of the Act on the following conditions:

(a) The employment relationship must be subject to the provisions of the Labour Act;

(b) The term of the contract must be not less than one year;

(c) There must be a reciprocity agreement;

(d) There must be no incompatibility with international agreements to which Egypt has acceded.

Article 3

64. The principle of general equality between men and women is recognized in articles 8, 11 and 40 of the Permanent Egyptian Constitution concerning equal opportunities, equality before the law, the State's pledge to reconcile women's duties towards their family with their work in society and equality between men and women in the political, social, cultural and economic fields. Since these are constitutional rules, the legislature cannot infringe or disregard them.

65. Being committed to the above-mentioned provisions of its Constitution, Egypt has acceded not only to the Covenant forming the subject of this report but also to other international human rights instruments such as the International Covenant on Civil and Political Rights (under the terms of Presidential Decree No. 536 of 1981), the Convention on the Political Rights of Women (under the terms of Presidential Decree No. 345 of 1981) and the Convention on the Elimination of All Forms of Discrimination against Women (under the terms of Presidential Decree No. 434 of 1981). In accordance with article 151 of the Constitution, these instruments have become part of Egyptian law.

66. Since the Egyptian legislature is likewise committed to those constitutional principles, which enjoy the highest status in the Egyptian legal system, Egypt's legislation upholds and affirms those principles. In fact, the legislature has amended some legislative texts in order to make them consistent with those principles and instruments.

67. Legislative endeavours in this regard:

(a) Act No. 73 of 1956 concerning the exercise of political rights. Although article 1 of this Act granted women the right to exercise political rights, article 4 stipulated that their inclusion on electoral lists was left to their discretion. Before Egypt's accession to the above-mentioned Convention, the Egyptian legislature promulgated Act No. 41 of 1979 amending the latter article in such a way as to make inclusion on those lists obligatory for women;

(b) The Labour Act No. 137 of 1981. Article 151 of this Act stipulates that all the provisions regulating the employment of workers apply, without discrimination, to women workers performing the same type of work. The Act grants some special privileges to women, such as maternity leave and time off to breastfeed and care for their children, without prejudice to their rights, and prohibits their employment in occupations that are detrimental to their health or morals. It is noteworthy that these provisions, which are in conformity with the relevant international conventions, were included in the previous Act No. 91 of 1959, with the exception of some new privileges;

(c) The Education Act No. 139 of 1981. This Act stipulates that all Egyptian children, both male and female, have a right to basic education, which the State has an obligation to provide free of charge for a period of eight academic years in conformity with the relevant international instruments.

68. Other Egyptian legislation concerning civil and commercial capacity and circumstances in which it might be reduced or impaired, as well as legislation concerning employment by the State or the public sector, insurance, pensions and health or family services, in no way differentiates between men and women, whom it treats in exactly the same way.

69. The penal legislation regards all forms of aggression or violence against women as criminal offences for which it prescribes various penalties depending on the gravity of the acts, which include abduction, indecent assault, rape and abortion.

70. In keeping with the State's commitment to the rule of law, which article 64 of the Constitution designates as the basis of government, all the State authorities have an obligation, when exercising their powers and functions, to comply with the established constitutional and legal principles in this regard, any infringement thereof being regarded as an offence in respect of which any aggrieved party has the right to avail himself of any of the means of redress provided for in the Egyptian legal system as already mentioned in section I.B of this report.

Article 4

71. As already indicated in section I.A of this report, quite apart from the fact that, in accordance with the provisions of the Constitution, the human rights instruments to which Egypt has acceded are regarded as part of Egyptian law following completion of the procedures for their ratification and their publication in Arabic in the Official Gazette in accordance with article 151 of the Constitution, insofar as they are directly related to the principles embodied in the Constitution they also enjoy the protection accorded to constitutional rules with which the legislature has an obligation to comply, failing which the legislation that it promulgates would be vitiated by its violation of the Constitution and, as such, could be duly declared unconstitutional by the Supreme Constitutional Court in a ruling that would be binding on all the State authorities. This, in itself, constitutes an important safeguard and a further guarantee that the legal texts promulgated by the legislative authority are in conformity with the constitutional rules and principles which are accorded the highest status in the Egyptian legal system and which include the rights and freedoms recognized in the relevant international instruments.

72. In addition to the above, the Constitution stipulates that the rule of law is the basis of government in the State (art. 64), that the State is subject to the law and that the independence and immunity of the judiciary are fundamental guarantees of the protection of rights and freedoms (art. 65). The State is obviously under an obligation to implement the legislative enactments promulgated by the elected legislative authority, which represents the people and, in turn, must abide by the constitutional rules, including those that regulate or place limits on the manner and means of enjoyment of those rights.

73. In its ruling handed down at the session of 5 January 1992 in case No. 22 of judicial year 8, the Supreme Constitutional Court clearly defined the conceptual framework and theoretical basis of the extent to which the fundamental rights and freedoms recognized in the Constitution can be enjoyed in a State committed to the rule of law. According to that ruling:

> "With regard to the rights and fundamental freedoms of citizens, the substance of the legal rule that prevails in, and is observed by, a constitutional State is determined in the light of the standards to which democratic States are consistently committed in the social sphere. Whenever such standards are routinely applied, a constitutional State cannot reduce its protection of the rights and freedoms of its citizens below the minimum of the general expectations in democratic States, nor can it subject their enjoyment or exercise to restrictions that would be

fundamentally inconsistent with those customarily applied in democratic systems; in fact, the State's subjection to the law is defined in the light of the democratic concept that its legislation should not infringe rights the recognition of which in democratic States is a prerequisite for the establishment of a State governed by the rule of law and also a fundamental guarantee of the full protection of human rights and personal dignity".

74. From the above, it is clearly evident that the substance and essence of the principles and criteria adopted and upheld by the Supreme Constitutional Court in this regard are consistent with the provisions of article 4 of the Covenant forming the subject of this report. In fact, they have been a decisive factor in the formulation of the guidelines and yardsticks which the Egyptian legislature must take into consideration, observe and apply in order to ensure that the legislative texts that it promulgates are in conformity with the Constitution.

Article 5

75. As already indicated in our comments on article 4, the rights recognized in the International Covenant are referred to in the Egyptian Constitution within the context of the State's undertakings and obligations and, consequently, are constitutional rules that cannot be violated by legislative texts. We have explained that the restrictions imposed on the enjoyment of these rights must be based on a legislative enactment or a legal rule that is objective, impartial and applicable to all. In accordance with the ruling of the Supreme Constitutional Court, these restrictions must be based on a democratic concept consistent with the customary practice in democratic regimes. Hence, the legislature cannot subject the enjoyment of these rights to any restrictions that would remove them from the framework outlined by the Constitutional Court; otherwise, the law would be in conflict with the Constitution.

76. Moreover, these rights enjoy the full legal protection to which reference has already been made in section IV of Part One of this report. They also enjoy special privileges which the Egyptian Constitution grants to public rights and freedoms, namely the rule that any violation thereof constitutes a criminal offence, the rule that civil or criminal proceedings in respect of such violation are not statute-barred, and the State's guarantee of compensation in respect thereof (article 57 of the Constitution).

Article 6

77. In Egyptian society, work is held in high esteem as one of the cherished values to which all are attached and the ideological and historical origins of which make work a concomitant of man's mission on earth.

78. The labour problem is a reflection of Egypt's economic situation as a developing country the economy of which is directly affected by all the manifold trends, balances and interactions at the international level, particularly during the transitional phase through which the Egyptian economy is passing. In addition to this economic aspect, the problem also has adverse social repercussions that place heavy burdens on both society and the State.

79. In view of the magnitude of the problem, its economic and social aspects and its effect on social stability and security, Egypt is endeavouring to deal with it in various ways consistent with the stages through which Egyptian society is passing and in conformity with the investment and economic liberalization policies that the country is currently pursuing. Egypt's policy in dealing with this problem can be summarized as: a reduction of surplus manpower in the government and public sectors, since previous policies have led to unnecessary overstaffing in those sectors; redeployment of this and other surplus manpower resulting from population growth or the policy of free education into fields of employment in which it is required by the national plans for the development of resources and local and foreign investment; and promoting this redeployment process by increasing the absorption capacities of these alternative fields of employment, encouraging the local community and the private sector to create more employment opportunities, providing loans on easy terms for production activities and organizing migration for the purpose of employment abroad.

80. We will review the right to work in Egypt from the following standpoints: the legal situation in Egypt, international and regional agreements, the new draft Labour Act, labour indicators, problems and future prospects.

The legal situation

81. The Egyptian Constitution of 1971 approaches the right to work from the standpoint of Egyptian society in particular and, more generally, from the standpoint of the consensus of the international community as expressed in international human rights instruments and the labour conventions adopted by the International Labour Organization.

82. Article 13 of the Constitution embodies the principles regarding this right, namely that work is a right, a duty and an honour, that the State guarantees this right, that outstanding workers should be held in high esteem by the State and society and, finally, that no citizen should be subjected to forced labour except as provided by law for the performance of a public service in return for fair remuneration. Article 23 stipulates that comprehensive development plans should seek to eliminate unemployment, increase employment opportunities and link wages to productivity. Under article 52, citizens have a right to emigrate permanently or temporarily.

83. Accordingly, the Egyptian Penal Code designates any actual, threatened or attempted violation of the right of others to work or to employ or refrain from employing any person as a criminal offence (art. 375). It is also a criminal offence for a public official to commit acts designed to illegally impose forced labour on others (art. 131).

84. In Egypt, labour is regulated by the following legislation:

(a) The Civil Code (Act No. 131 of 1948), articles 674-698 of which contain provisions governing contracts and terms and conditions of employment, the obligations of the employer and the employee and the expiration or termination of the contracts. The provisions of the Civil Code in this regard

apply insofar as they do not explicitly or implicitly conflict with the special labour legislation. They also apply to categories of workers not covered by that other legislation;

(b) The Labour Act No. 137 of 1981;

(c) Act No. 47 of 1978 concerning civilian employees of the State; and

(d) Act No. 48 of 1978 concerning employees of public bodies and institutions and the public sector.

85. Employment by special bodies and agencies is regulated by separate legislative enactments, such as the Acts concerning employees of judicial bodies, the diplomatic service, the police, the armed forces and monitoring and control agencies such as the People's Assembly and the Central Administrative Accounting and Audit Office. All of these Acts specify the respective rights and obligations of employees and their employers. Government employees and persons of equivalent status have a statutory organizational relationship and are subject to the provisions of the relevant Acts. The administrative courts are competent to hear their complaints and appeals against decisions affecting any of their interests or penalties imposed on them and they can be dismissed only in accordance with the disciplinary procedure and through the competent court. In the case of private sector employees, who are subject to the provisions of the Labour Act, the ordinary courts are competent to hear their disputes. The provisions of the Labour Act No. 137 of 1981 do not apply to family members and domestic servants. However, the latter Act does include a separate chapter on occupational health and safety. Under the terms of the Act, anyone able and wishing to work can register with the competent administrative office so that it can propose his candidature for work consistent with his qualifications and experience.

86. Acts Nos. 65 of 1971, 43 of 1974 and 230 of 1989, concerning foreign, Arab and domestic investment and free zones, were promulgated to attract capital to further the State's public policy and the objectives and priorities of the national development plans (article 1 of the latter Act) and to create new employment opportunities to help to increase the capacity to absorb productive manpower.

Egypt and the ILO Conventions

87. Egypt has been a prominent member of the International Labour Organization since its accession to Convention No. 53 in 1939. By the end of 1993, Egypt had acceded to 60 ILO Conventions and therefore ranks among the States that have acceded to the largest number of those Conventions. In accordance with the procedures laid down in article 151 of the Constitution, any treaty to which Egypt has acceded and which has been published in the country's Official Gazette is regarded as forming part of the legislation in force in the country and must be applied by all the authorities.

88. Egypt has also taken care to codify all the provisions of those Conventions in the Labour Act in the manner already explained.

The new draft Labour Act

89. Within the context of Egypt's commitment to these instruments and its ongoing cooperation with international organizations, a new Labour Act is being drafted in consultation with ILO experts. Its main provisions include:

(a) Its applicability to all workers in the various sectors, with the exception of employees of the State and public bodies. This means that its provisions will apply to the public and private sectors, the investment sector and the public business sector;

(b) Regulation of the employment of foreigners and recruitment of Egyptians for employment abroad;

(c) Introduction of a periodic increment of 7 per cent per annum;

(d) Formation of a Wage Commission chaired by the Minister of Planning to set the minimum wages, taking into account the cost of living and the need to establish a balance between wages and prices, subject to a review at intervals not exceeding three years. No discrimination will be permitted in regard to wages on grounds of sex, origin, language, religion or belief;

(e) Regulation of vocational training and rehabilitation, prohibition of the employment of children under 14 years of age (age of completion of basic education), and introduction of special provisions governing their working hours and rest periods;

(f) Admissibility of strike action, subject to the conditions laid down in the Act;

(g) Coverage of all aspects of occupational safety and health, provision of a suitable working environment and regulation of monitoring and control bodies.

Labour indicators in Egypt

90. The following are some labour indicators in Egypt:

Ratio of labour force to total population aged 15 years and above	48.18 per cent in 1994/95
Proportion of children aged 6-14 years in the labour force in relation to the total number of children in that age group	4.3 per cent in 1994/95
Illiteracy rate in the labour force over 15 years of age	41.85 per cent in 1994/95
Productivity (LE-wage)	4.2 per cent in 1994/95
Female participation in labour force	12.6 per cent in 1994/95

Growth rate in labour force over 15 years of age	3 per cent in 1994/95
Size of Egyptian labour force abroad in millions (fluctuating)	2.17 per cent in 1994/95
Proportion of unemployed in relation to total labour force over 15 years of age	17.5 in 1994/95
Economic dependency burden	246 per hundred individuals

91. Egypt has acceded to the following relevant international conventions:

(a) ILO Convention No. 111 of 1958 (since 15 June 1960);

(b) Convention on the Elimination of All Forms of Discrimination against Women;

(c) International Convention on the Elimination of All Forms of Racial Discrimination.

Reference can be made to Egypt's reports submitted to the bodies concerned with those conventions.

Problems and future prospects

92. The problems and obstacles impeding Egypt's endeavours to tackle unemployment are largely confined to the difficulty of financing the investments needed to raise the absorption capacity of the labour market and increase the production potential in order to develop national resources to the maximum. The problems and obstacles that are directly affecting the substantive plans drawn up within the limits of the available resources can be summarized as follows (based on the statistical indicators for the year 1991/92):

The population growth rate exceeds the economic growth rates.

The economic dependency burden (246 per 100 individuals) and the proportion of unemployed in relation to the total labour force over 15 years of age (17.5 per cent) are high.

The high illiteracy rate in the labour force (41.85 per cent) is conducive to low productivity/wage (4.2 per cent).

There is a high proportion of child workers under 15 years of age (4.3 per cent) and a low rate of female participation in economic activity (12.5 per cent of the labour force).

Participation by the private non-governmental sector in economic activities is also low.

93. The future development plans aim to tackle these obstacles, in the light of the Egyptian National Population Strategy, by:

(a) Increasing productivity to 5.7 by the year 2002 and 6.2 by the year 2007 through the use of modern production methods and the application of maintenance, replacement and renovation programmes and programmes to render training and rehabilitation more effective;

(b) Reducing the illiteracy rate in the labour force to 29 per cent by the year 2002 and 22 per cent by the year 2007 through the preparation of literacy programmes for government and public sector employees, artisans and persons working in the agricultural and private sectors and the application of programmes suited to each activity;

(c) Reducing the proportion of children under 15 years of age in the labour force to 3.3 per cent by the year 2002 and 2.5 per cent by the year 2007;

(d) Increasing the rate of female participation in the labour force to 16 per cent by the year 2002 and 18 per cent by the year 2007 by improving the effectiveness of training and literacy programmes, particularly in rural areas, and establishing nurseries at places of work;

(e) Reducing the population growth rate to 1.9 per cent or less by the year 2002, stimulating public awareness of the importance of the population problem and intensifying family planning education programmes for women;

(f) Reducing the unemployment growth rate to 0.5 per cent per year by promoting infrastructural projects and encouraging the private non-governmental sector through the Social Fund;

(g) Reducing the economic dependency rates by increasing the economic growth rates through the encouragement of foreign and domestic investment and promotion of a serious contribution by the private sector to the production process.

Article 7

94. The Acts concerning civilian employees of the State and of the public sector contain schedules of wages linked to qualifications and experience. Increments are regulated in accordance with the grades specified in the schedules.

95. Articles 32-42 of Act No. 137 of 1981 contain the following provisions concerning wages:

(a) Employers are obliged to pay the minimum wages specified in the State's general legislation. These may be increased in the case of some jobs, occupations or regions (art. 32);

(b) The Act specifies the way in which the wage must be paid and the manner in which the employer's obligation in this regard must be discharged. The employer must pay the wage if the worker presents himself but is unable to

begin work for reasons attributable to the employer, the worker being entitled to half the wage if the reasons are beyond the employer's control (arts. 33, 34, 35 and 36);

(c) The wage is payable immediately on termination of the employment relationship. It is not permissible for an employer to lend his employees money at interest or to deduct more than 10 per cent of their wages in repayment of loans (arts. 38, 39 and 40);

(d) Only a specified proportion of wages can be withheld in settlement of a maintenance debt or any amount due from the employee (art. 41);

(e) A periodic increment of 7 per cent per year is payable (art. 42);

(f) Article 151 of the Act stipulates that its provisions are applicable, without discrimination, to women workers performing the same type of work;

(g) Following its adoption of a market economy, from 1987 to 1994 the State promulgated a number of annual legislative enactments specifying the annual increments payable to workers in all sectors in order to increase wages and pensions in response to the rising cost of living.

96. Chapter V of the Labour Act No. 137 of 1981 contains provisions concerning occupational safety and health. This chapter was incorporated in the Act as a token of Egypt's commitment to the relevant international conventions.

97. Under chapter V, all institutions in the private and public sectors, as well as central and local government administrative units and public bodies, have an obligation to comply with the provisions of the Act (art. 109). The aspects relating to a safe and healthy working environment are dealt with as follows:

(a) Article 115 stipulates that occupational safety and health precautions must be taken at the workplace in order to avoid occupational accidents and undue mechanical or chemical hazards resulting from a lack of first-aid facilities;

(b) Articles 116, 117 and 118 stipulate that the employer must arrange a preliminary medical examination of the employee, before the latter assumes his duties, in order to ascertain his fitness for work. The employee must be informed of the results and must be trained in the use of personal protective gear and equipment;

(c) Article 120 empowers the competent administrative authority to close the institution in the event of failure to respect the provisions and obligations concerning occupational safety and health;

(d) Articles 121, 122, 123 and 124 stipulate that institutions must provide first-aid facilities. The extent of the institution's stipulated medical obligations increases in proportion to the number of its employees and includes coverage of treatment costs, periodic medical examinations of persons

exposed to any occupational diseases, provision of suitable means of transportation to remote undeveloped locations and provision of social and cultural services;

(e) Chapter V makes provision for the establishment of a specialized agency to carry out periodic inspections of institutions, conduct examinations and take samples in this connection (arts. 125 and 126);

(f) The Act obliges institutions to establish and train the requisite occupational safety and health teams. It also makes provision for the establishment of a Higher Council chaired by the competent Minister to formulate public policies and coordinate training and research among the bodies operating in this field.

98. Equality and equal opportunities are among the constitutional rules that all legislation must respect in accordance with the provisions of articles 8 and 40 of the Constitution. Consequently, the above-mentioned legislation concerning government and public sector employees contains detailed rules concerning promotion to higher grades in accordance with the schedules annexed to that legislation. Such promotions are based on the objective criteria of competence and seniority. The same principles apply to persons who are subject to the provisions of the Labour Act. They guarantee that administrative bodies or employers always use their authority to promote and their powers in regard to selection under the control of the administrative and civil courts within the framework of the above-mentioned constitutional principles so that they cannot abuse their authority or exercise their right in an arbitrary manner. It is noteworthy that the legislature has exempted workers from all the legal costs payable in respect of all stages of the proceedings in any actions that they bring for implementation of the provisions of the Act (article 6 of Act No. 137 of 1981).

99. With regard to working hours, rest periods and holidays, the provisions of the Labour Act No. 137 of 1981 and Act No. 133 of 1961 regulating the employment of workers in industrial establishments are in conformity with the relevant ILO Conventions to which Egypt has acceded. These provisions are as follows:

100. Holidays. Articles 43-53 of the first Act regulate holidays, of which there are three types:

(a) Annual leave. This leave, amounting to 21 days per year, is increased to 1 month on completion of 10 consecutive years of service or on reaching the age of 50. The Act allows this leave to be increased by seven days per year in the case of employees working in arduous or hazardous occupations or remote areas. It is prohibited to relinquish this leave, which must include six consecutive days per year, the remainder being accumulated, if so desired, up to a maximum of three months. The Act stipulates that an employee is entitled to pay in lieu of the leave due to him if he is separated from service before taking the leave. An employee may also determine the timing of his leave if he is sitting an examination at any educational level and he may also take three days of his leave without giving prior notice (art. 45);

(b) Special leave. Under the terms of the Act, leave on half pay may be granted for the purpose of performing the pilgrimage or visiting holy places (art. 49) and the employee is also entitled to official holidays with full pay on the dates set by the Minister of Labour. Under article 154, female employees have a right to maternity leave amounting to 50 days, of which 40 days must be taken after delivery;

(c) Sick leave. Article 50 of the Act grants the employee the right to sick leave paid at 75 per cent of his wage for a period of 90 days, increasing to 85 per cent for a similar period. In the case of industrial establishments, the Act makes special provision for one month's sick leave on full pay, eight months paid at 75 per cent and three months without pay after three years of service. Under article 51, an employee who is afflicted with tuberculosis, leprosy, mental illness or a chronic disease is entitled to sick leave on full pay until he is cured, able to return to work or separated from service due to total incapacity.

101. Rest periods. Chapter VI of the Act specifies the daily and weekly rest periods that must be granted to employees. Article 134 of the Labour Act stipulates that working hours must be interspersed by one or more mealtimes or rest periods totalling not less than one hour and the employee must not be required to work more than five consecutive hours. The Act empowers the competent Minister to determine the heavy and arduous forms of work in which the employee must be granted rest periods that are reckoned as actual working hours. Article 137 of the same Act stipulates that the employee must be granted a weekly rest period amounting to 24 consecutive hours, on full pay, after a maximum of six consecutive working days. Article 141 stipulates that the employer must post the daily and weekly rest periods at the workplace.

102. Working hours. Chapter VI of the Act regulates working hours as follows:

(a) No employee may be required to work more than 8 hours per day or 48 hours per week, not counting mealtimes and rest periods (art. 133). In the same article, the Act reduces the number of working hours to seven in the case of some categories of employees and some occupations and industries;

(b) Article 135 of the Act stipulates that the maximum duration of working hours, including rest periods, on any day must not exceed 11 hours. However, the Act empowers the Minister of Labour to make exemptions in this regard in the case of employees whose work, by its very nature, is discontinuous.

103. Egypt has acceded to the following ILO Conventions:

(a) The Minimum Wage Fixing Convention No. 131 of 1970;

(b) The Equal Remuneration Convention No. 100 of 1951;

(c) The Weekly Rest (Industry) Convention No. 14 of 1921;

(d) The Weekly Rest (Commerce and Offices) Convention No. 106 of 1957;

(e) The Labour Inspection Convention No. 81 of 1947.

In this connection, reference can be made to Egypt's reports submitted to the ILO Committee of Experts.

Article 8

104. The trade-union movement in Egypt has a long history and the legislature intervened to regulate trade unions in a number of legislative enactments until the right to establish trade unions was recognized in the Permanent Egyptian Constitution promulgated in 1971.

Trade unions

105. Article 56 of the Egyptian Constitution recognizes the right to establish trade unions in the following manner:

> "The establishment of trade unions and federations on a democratic basis is a right guaranteed by law. They shall enjoy corporate personality.
>
> "The participation of trade unions and federations in the implementation of social plans and programmes, improvement of levels of competence and promotion of socialist conduct among their members and protection of their funds shall be regulated by law.
>
> "They shall have an obligation to call their members to account for their behaviour during the exercise of their activity in accordance with moral codes of honour and to defend the legally recognized rights and freedoms of their members."

106. The Trade Union Act No. 35 of 1976, which was promulgated after the Permanent Egyptian Constitution, contained the following rules:

(a) Its provisions apply to all workers in the State, regardless of whether they are employed by central or local government authorities, public bodies, the public, private or cooperative sectors or the business management, investment or joint sectors, including workers in agriculture and domestic service (art. 2);

(b) The Act defines the aims of trade-union activity as protection of legitimate rights, improvement of terms and conditions of employment, enhancement of the trade-unionist, professional, health, social and economic standards of workers and their families and participation in the implementation of development plans and international activities (art. 8). Thrift and fellowship funds, cooperative associations and sports clubs may also be established;

(c) A worker is free to join or withdraw from a trade union (art. 3);

(d) The structural organization shall take the form of a pyramid with levels ranging from the trade-union committee in the enterprise to the

occupational trade-union committee, the general trade union and the Trade Union Confederation (art. 7). These levels shall be constituted through election and free choice (art. 32);

(e) The Act places no restrictions on trade-union activity other than the obligation to comply with the provisions of the law, not to take any decision or engage in any act which would constitute a legally designated offence, such as incitement to hatred, contempt or overthrow of the system of government, not to abandon work or use force, violence, terrorism or threats and not to violate the rights of others to work, to employ or refrain from employing any person or to join an association (art. 70). These restrictions are necessary in order to preserve national security, public order and the rights of others;

(f) The Act permits full-time trade-union activity and prohibits the dismissal or suspension of a worker who is a member of the executive of a trade union except under the terms of a court order (arts. 45 and 48).

Federations

107. Under the Act, workers employed in similar interrelated occupational or industrial groups may form a single country-wide general trade union, provided that it confines its activity to the occupations or industries that it covers (art. 13).

108. The general trade unions jointly constitute the Trade Union Confederation, which is the apex of the trade-union system.

109. The trade-union structures include congresses and executives. The congress, in which all the members of the union are represented, elects the members of the executive and the congress of the Confederation, consisting of representatives of the general unions elected by their executives, elects the executive of the Confederation (arts. 30-37).

Restrictions on trade-union freedom

110. This has already been answered in paragraph 105 (e) above.

The right to strike

111. In accordance with article 14 of the Trade Union Act No. 35 of 1976, as amended by Act No. 12 of 1995, approval of the organization of strike action by workers is one of the functions of the general union. The Act stipulates that this must be done in conformity with the rules laid down in the Labour Act.

112. It is noteworthy that strike action is regulated in articles 193-197 of the draft new Labour Act under which the union's executive is empowered to take that decision after notifying the employer and the competent administrative authority and specifying the time and reasons of the strike. In this context, the Labour Act No. 137 of 1981 (chap. IV, sect. 3, arts. 93-106) prescribes a special procedure for amicable settlement and arbitration in collective labour disputes. It begins with a collective

negotiating process and, in the event of failure to reach an agreement or its rejection by one of the parties, the matter may be submitted to the local committees or the Central Council for the Settlement of Disputes at the request of either party. If agreement still cannot be reached within a specified time, the dispute must be referred to the boards of arbitration consisting of a division of a court of appeal sitting in the presence of a representative of the Ministry of Manpower and the Ministry concerned.

Categories whose exercise of these rights may be subjected to special restrictions

113. In accordance with article 2 of the Trade Union Act No. 35 of 1976, the provisions of the Act are applicable to civilian employees of central and local government authorities and agencies with their own budgets. However, its provisions do not apply to members of the armed forces or the police, both of which are governed by special legislation that regulates their rights and obligations in a manner consistent with the nature of military life and military discipline.

114. The administrative courts (Council of State), which are independent judicial bodies, are legally competent to adjudicate in appeals lodged against disciplinary sanctions or administrative decisions concerning the rights of persons employed by government agencies.

115. In this connection, it should be noted that the Supreme Constitutional Court ruled that article 2 of Legislative Decree No. 32 of 1963, concerning the service and promotion of officers in the armed forces, was unconstitutional in so far as it stipulated that its provisions concerning the imposition of disciplinary sanctions could be applied with retroactive effect (Constitutional Appeal No. 22, judicial year 8, session of 4 January 1992).

Practical guarantees of trade-union freedom

116. The Supreme Constitutional Court, exercising its power to monitor the constitutionality of legislation, which represents the principal legal safeguard against violations of constitutional guarantees by the legislature, has ruled as follows in some cases brought before it:

(a) The Supreme Constitutional Court ruled that some of the provisions of the Bar Association Act No. 125 of 1981 permitting the removal from office of the president and members of the executive of the Association before the expiration of the term for which they were elected by the electoral body were unconstitutional insofar as they allowed those persons to be dismissed from their posts without the approval of the electoral body, consisting in the General Assembly of the Association, thereby annulling their election in violation of the principle of trade-union freedom recognized in article 56 of the Constitution, which makes provision for the establishment of trade unions and federations on a democratic basis (Constitutional case No. 47, judicial year 3, session of 11 June 1983);

(b) The Supreme Constitutional Court ruled that the first paragraph of article 38 of Act No. 35 of 1976 was unconstitutional insofar as it permitted no more than 20 per cent of the members of a trade-union executive to

simultaneously serve as working members of a professional association, since this violated the principles of freedom of expression and association, freedom to vote and stand as a candidate in elections and equality before the law (Constitutional case No. 6, judicial year 15, session of 15 April 1995).

117. Statistical indicators:

Number of trade-union organizations in Egypt	1,621
Number of elected members of their executives	120,514
Number of members of congresses	3,207,137

Relevant international conventions to which Egypt has acceded:

118. Egypt has been a party to the ILO Freedom of Association and Protection of the Right to Organize Convention No. 87 since 6 November 1957. In this connection, reference can be made to Egypt's reports submitted to the ILO Committee of Experts.

Article 9

119. From the legislative standpoint, social insurance schemes have been applied in Egypt since the promulgation of the Workers' Insurance and Savings Act No. 419 of 1955 and those schemes were subsequently expanded to cover insurance and compensation in respect of industrial accidents. Successive legislative enactments culminated in the promulgation of the Social Insurance Act No. 64 of 1963.

120. The pensions of government employees were regulated by special legislation dating back to the middle of the last century (Civilian Pensions Order issued on 26 December 1854). Successive legislation in this regard culminated in the promulgation of the State Employees' Insurance and Pensions Act No. 50 of 1963.

121. Following the proclamation of the Permanent Egyptian Constitution, the Egyptian legislature promulgated the following enactments to extend and harmonize insurance coverage:

(a) Act No. 79 of 1975, concerning the Social Insurance Scheme, in which the legislature made provision for uniform insurance services for persons employed by the Government and the public and private sectors;

(b) Act No. 108 of 1976 extending social insurance services to employers and persons of equivalent status;

(c) Act No. 30 of 1977 concerning social security pensions for persons not subject to compulsory insurance coverage;

(d) Act No. 50 of 1978 concerning insurance services for persons working outside the country;

(e) Act No. 112 of 1980 concerning insurance coverage for uncovered workers in informal employment.

Some of the main features of each of these Acts are reviewed below.

122. The Social Insurance Act No. 79 of 1975:

(a) Its provisions apply to civiians employed by the State, public bodies and the public sector, as well as workers subject to the Labour Act (art. 2);

(b) Social insurance covers insurance in respect of old age, incapacity, death, industrial accidents, sickness, unemployment and social welfare for pensioners (art. 1);

(c) Its provisions also apply to workers under 18 years of age, such as industrial apprentices and trainees and students working for public services;

(d) For insurance assessment purposes, all the wage components, including bonuses, commissions and special or supplementary allowances, are taken into account (art. 4);

(e) Insured persons have the guaranteed right to receive medical care through the network of hospitals and clinics maintained by the Health Insurance Authority;

(f) Additional rights are also recognized, such as supplementary compensation, death benefit, funeral expenses, pension commutation and benefits in respect of missing persons.

123. Act No. 108 of 1976 concerning social insurance for employers and persons of equivalent status. The main provisions of this Act permitted employers, whether individuals, partners or owners, as well as persons exercising liberal professions, commercial entrepreneurs, owners of means of transport, authors, tourist guides and commercial agents, to participate in the old-age, incapacity and life insurance scheme, to which other insurances may be added by decision of the President of the Republic. The Act also permits the coverage of other categories, by decision of the President of the Republic, and makes provision for additional rights, including death benefit, funeral expenses and supplementary compensation.

124. Act No. 50 of 1978 concerning social insurance for Egyptians working abroad. The main provision of this Act was to permit social insurance coverage in the event of old age, incapacity and death, to which other types of insurance might be added by decision of the President of the Republic, in the case of Egyptians working abroad under personal employment contracts or for their own account and Egyptian expatriates who, while retaining their nationality, were not subject to the provisions of the two aforementioned Acts. The Act also permits the application, by Presidential Decree, of other forms of insurance and the enjoyment of additional benefits such as supplementary compensation, death benefits and funeral expenses.

125. The Social Security Act No. 30 of 1977. The aim of this Act was to provide financial security for families, particularly those which were not covered by social insurance schemes, and also to provide relief in cases of emergency. The Act made provision for the following insurance services:

(a) Social security pensions. Under the terms of the Act, monthly pensions are payable to citizens who were formerly employed by the Government or the public sector, as well as their families and the following other categories: orphans, widows, divorced women, the children of divorced women who have died or remarried or who are serving prison sentences, the totally disabled, women over 50 years of age who have never married, the families of persons serving a term of not less than 10 years' imprisonment, the aged and elderly married women;

(b) Monthly assistance. Monthly cash allowances are payable to needy individuals and families not entitled to the above-mentioned monthly pensions in the following cases: pregnant women, infant children, partially disabled persons, sick persons, the families of persons serving a term of not less than 10 years' imprisonment and families without a breadwinner;

(c) Other assistance. Other forms of assistance include relief in the event of general or personal disasters, the provision of single lump-sum payments or assistance in kind to enable needy individuals or families to implement a project or meet education expenses, urgent requirements or exceptional circumstances. Assistance is granted to former employees and their families in the event of sickness, marriage of daughters or sisters, children's education expenses, low income and urgent requirements.

126. Act No. 112 of 1980 concerning social insurance for categories of manpower not covered by other legislation. Act No. 112 of 1980 completed the insurance coverage for all citizens by making provision for the following categories of manpower which were not covered by the Pensions and Social Insurance Acts: temporary workers in the agricultural and fishing sectors, persons working in the transport sector, small-scale self-employed tradespeople, owners and tenants of small plots of agricultural land, domestic servants and persons suffering from leprosy or recovering from tuberculosis who are enrolled at vocational training and rehabilitation centres. Pensions are payable, subject to the conditions laid down in the Act, when the insured person reaches the age of 65, is certified as suffering from a permanent total disability, or dies. In 1992/93, the number of persons insured under the terms of the Act amounted to about 52,000, most of whom were temporary agricultural workers, and the value of the pensions paid i that year exceeded LE 62 million.

127. A number of successive legislative enactments were promulgated to increase the pensions payable under the above-mentioned insurance schemes. The most recent were Act No. 204 of 1994, concerning persons covered by the Social Insurance Act, and Act No. 206 of 1994 concerning persons covered by the Social Security Act and Act No. 112 of 1980.

128. These insurance services have been developed through computerized data processing systems, under which 48.2 million citizens were registered by 30 June 1994, with a view to improving the speed, regularity and efficiency of

these services. The system for the receipt of pensions at home has been expanded and the standard of competence of the persons working in this field is constantly being improved.

129. Statistical indicators:

Ratio of social insurance and social security expenditure to GNP:

1984/85: Social insurance 3.7 per cent, social security 0.63 per cent, total 4.33 per cent;

1993/94: Social insurance 4.1 per cent, social security 0.28 per cent, total 4.38 per cent.

Number of insured persons: 15.4 million citizens on 30 June 1993; 15.9 million citizens on 30 June 1994.

The total value of the pensions and compensation paid rose from LE 2.2 billion in 1988/89 to LE 5.4 billion in 1993/94.

The number of pensioners and beneficiaries rose from 5.2 million citizens in 1988/89 to 6.7 million in 1993/94.

The number of locations at which entitlements were payable amounted to 10,916 on 30 June 1994.

The number of social security beneficiaries amounts to 159,511 pensioners, 45,877 persons receiving assistance and 4,576 former employees receiving allowances.

The number of institutions participating in the social insurance scheme amounted to 1,829,000 on 30 June 1993.

130. It is noteworthy that Egypt has acceded to the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women and reference can be made to the reports that it has submitted in connection therewith.

Future plans

131. The main aims of the future plans are to complete the computerization of all social insurance and social security operations, increase the number of distribution locations in order to improve the service, and constantly increase the entitlements arising from those insurance services at a rate equivalent to the increases in wages.

Article 10

Family rights and privileges

132. The time-honoured high status that the family enjoys in Egyptian society is based on numerous historical and ideological considerations the effects of which are reflected in many of the values, traditions and customs which

characterize Egyptian society and which, on the whole, are conducive to the preservation and cohesion of the family so that it can continue to discharge its mission and responsibilities towards its children in such a way as to ensure their social upbringing in a peaceful, calm and stable environment. To this end, the Egyptian Constitution contains the following provisions:

Article 9

"The family, which is rooted in religion, morality and patriotism, is the cornerstone of society. The State shall strive to preserve the authentic character of the Egyptian family, with the values and traditions that it embodies, while affirming and developing this character in relations within Egyptian society."

Article 10

"The State undertakes to protect mothers and children, to cater for the welfare of the rising generation and youth and to create appropriate conditions for the development of their talents."

Article 11

"The State undertakes to reconcile the duties of women towards their family with their work in society and guarantees their equality with men in political, social, cultural and economic spheres of life, with due regard for the provisions of the Islamic Shari'a."

133. The Egyptian legislature, being committed to the above-mentioned constitutional principles and the relevant international conventions to which Egypt has acceded, has promulgated numerous enactments to regulate and protect family-related rights and interests. These enactments are illustrated by the following:

(a) Article 34 of the Civil Code (Act No. 131 of 1946) defines a person's family as his or her kin, consisting of all those linked by a common origin. Article 35 of the Act defines two types of kinship: direct kinship between ascendants and descendants, and marginal (indirect) kinship between persons linked by a common origin. According to article 37, a person's relatives are deemed to have the same degree of kinship with the person's spouse;

(b) Under the terms of article 286 of the Code of Criminal Procedure (Act No. 150 of 1950), a person may refuse to testify against his or her ascendants, descendants and relatives by blood or marriage to the second degree, as well as his or her spouse, even after the dissolution of the conjugal bond, in order to preserve family links;

(c) The Income Tax Act No. 157 of 1981, as amended by Act No. 187 of 1993 concerning uniform taxation and family exemptions, raised the exemption ceiling for a person with a dependent spouse from LE 1,440 to LE 1,680 per year. It also raised the exemption ceiling for a married person with young children to LE 1,920 per year. The exemption applies to dependent children up to 28 years of age if they are pursuing studies at any educational level. It

also applies, without time limit, to a dependent child suffering from a disability that prevents him or her from earning a living, and to an unmarried or non-working female child;

(d) Under the Social Insurance Act No. 79 of 1975, the persons entitled to a pension in the event of the death of the insured person are his spouse, widow, divorced spouse, sons, daughters, parents, brothers and sisters (art. 104). This also applies to the special categories covered by other insurance legislation;

(e) The Regulation issued by the Minister of Justice in 1955, concerning officials authorized to conclude contracts of marriage, sets the minimum age for marriage at 16 years in the case of females and 18 years in the case of males. Contracts of marriage require the full consent of both parties. The registrars appointed to solemnize marriages between non-Muslims are also bound by the same provision;

(f) Article 6 of the Egyptian Nationality Act No. 26 of 1975 stipulates that a wife may be granted Egyptian nationality, at her request, if her husband is Egyptian or acquires that nationality. Article 11 further stipulates that the husband's relinquishment of Egyptian nationality does not entail its forfeiture by his wife unless she so desires, provided that the law of her husband's country permits her to retain her nationality.

134. Under article 12, an Egyptian woman who marries a foreigner remains Egyptian unless she wishes to acquire her husband's nationality and is permitted to do so under the terms of the law to which he is subject. This provision also applies to minor children in order to ensure family reunification in keeping with international standards and the principles embodied in the Egyptian Constitution.

Protection of mothers

135. Egyptian law provides special protection for women during and after pregnancy in keeping with the principle incorporated in article 10 of the Constitution, which stipulates that the State undertakes to protect mothers and children. Some of the principles adopted by the Egyptian legislature in this connection are reviewed in detail below:

136. The Code of Criminal Procedure (Act No. 137 of 1950). Under article 485 of the Code, a custodial sentence imposed on a woman who has reached the sixth month of her pregnancy may be deferred until two months after her delivery. If a woman is found to be pregnant while serving her sentence, she is accorded special treatment throughout the period prior to her delivery. If both a man and his wife are sentenced to a term of not more than one year's imprisonment, enforcement of the sentence imposed on one of them may be deferred until the other has been released if they are supporting a child under 15 years of age. Article 475 stipulates that the enforcement of a death penalty imposed on a pregnant woman must be deferred until two months after her delivery.

137. Under the Prisons Act No. 396 of 1956, the child of a female prisoner is permitted to remain with her until reaching the age of two years unless she does not wish to keep the child with her, in which case the child is placed in

the custody of the father or a relative chosen by the father. In the absence of a father or relative, the child is placed in the custody of a specialized institution on the understanding that the mother will be permitted to see her child at periodic intervals (art. 20).

138. The Personal Status Act No. 25 of 1929. Article 20 of the Act stipulates that women's custody of their children ends at 10 years of age in the case of a boy and 12 years of age in the case of a girl, although the judge may extend the duration of custody until the boy reaches the age of 15 or until the girl marries if their interests so require. (It should be noted that the personal status of non-Muslims is governed by the provisions of their own religious laws.). Under the terms of article 18 bis (ii) of the same Act, a father has an obligation to maintain his child if the child has no money of his or her own. In the case of a daughter, this obligation continues until she marries or earns sufficient money to maintain herself. In the case of a son, this obligation continues until he reaches 15 years of age unless he is incapable of earning a living. The extent of this obligation to maintain an indigent child is proportionate to the father's wealth and must ensure an appropriate standard of living.

139. Act No. 47 of 1978 regulating the status of State employees, and Act No. 48 of 1978 regulating the status of persons working in the public sector. Under the provisions of these two Acts:

(a) A woman is entitled to three months' special maternity leave on full pay on three occasions during her period of service. This leave is not deductible from her official holiday entitlements;

(b) A woman is entitled to a total of not more than two years' leave without pay on three occasions during her period of service in order to take care of her children;

(c) The employer has the right to permit a woman, at her request, to work half-time on half pay;

(d) A husband or a wife is entitled to take leave without pay in order to accompany his or her spouse if the latter is assigned to travel abroad.

140. The Labour Act No. 137 of 1981. The articles of this Act contain the following provisions:

(a) A working woman is entitled to 50 days' maternity leave on full pay on three occasions during her period of service and must not be required to work during the 40 days subsequent to her delivery (art. 154);

(b) During the eight-month period following her delivery, a working woman is entitled to two daily rest periods, each of which must amount to not less than half an hour, in order to feed her child. These rest periods are regarded as part of her working hours and do not entail any wage reduction (art. 155).

141. The Children's Act No. 12 of 28 March 1996 granted the following additional privileges to working mothers:

(a) The duration of maternity leave was standardized by stipulating that women working for the Government and the public or private sectors are entitled to three months' such leave on full pay after their delivery on three occasions during their period of service (art. 70);

(b) In addition to the statutory rest period granted to workers, female employees are entitled to a rest period to feed their children for two years subsequent to their date of delivery (art. 71);

(c) A mother is entitled to two years' leave without pay on three occasions during her period of service in order to take care of her children. This right is also enjoyed by mothers working in the private sector in an enterprise employing more than 50 workers and the employer has an obligation to either pay the insurance contributions due in respect of the female worker throughout that period of leave or, if she prefers, to pay her 25 per cent of the salary that she would have earned on the date of commencement of the leave (arts. 72 and 73);

(d) Under the provisions concerning the immunization of children against contagious diseases, any parent or guardian who fails to fulfil this duty is liable to a fine (arts. 25 and 26);

(e) It is prohibited to add colourants, preservatives or any other additives to foodstuffs and preparations intended for infants and children. Any violation of this prohibition renders the offender liable to imprisonment and/or a fine and confiscation of the products (art. 30);

(f) It is prohibited to establish nurseries without a licence or without fulfilling the prescribed conditions. Any violation of this prohibition renders the offender liable to imprisonment and a fine (arts. 44 and 45);

(g) Monthly allowances are payable to orphans, children of unknown parentage, children of divorced women if their mothers remarry, die or are imprisoned, and children whose fathers are serving prison sentences (art. 49);

(h) It is prohibited to publish, offer or circulate any printed matter or publications designed to arouse the innocent instincts of children or incite them to engage in behaviour incompatible with social values. Any violation of this prohibition is punishable by a fine and confiscation (art. 89);

(i) Female workers in enterprises employing more than 50 workers are entitled to one year's leave without pay on three occasions during their period of service in order to take care of their children (art. 156);

(j) Under the terms of the Act, employers employing more than 100 female workers at a single location have an obligation to establish a nursery. Enterprises employing a smaller number of female workers in a single area are required to fulfil this obligation jointly (art. 158).

Measures to protect and assist children

142. Under the terms of article 10 of the Constitution, the State has an obligation to protect children and cater for the welfare of the younger generation. In this section, we will consider the age of childhood as defined in Egyptian law, the provisions concerning their criminal responsibility and, finally, other aspects of their protection and legislative measures taken in this regard.

143. The age of childhood. According to the Children's Act No. 12 of 1996 and the Convention on the Rights of the Child, the age of childhood extends to 18 years. Egyptian legislation defines the legal capacity and criminal and civil responsibility of children and their consequent eligibility to marry, engage in commerce and take up employment in the following manner:

(a) Criminal responsibility. The Children's Act No. 12 of 1996 defines the criminal responsibility of children as follows:

(i) No criminal responsibility is borne by a child under seven years of age (art. 94);

(ii) Children over 7 but under 15 years of age are subject to reformative and preventive measures but not to penalties or preventive detention. Under the provisions of the Code of Criminal Procedure, testimony can be heard from persons over 14 years of age after taking the oath and from persons under that age without taking the oath (art. 283);

(iii) Children over 15 years of age are held criminally responsible for their acts but those in the age group 15-18 years are not liable to the death penalty or hard labour for life or for a fixed term (arts. 111 and 112);

(b) Civil and commercial capacity. Both the Civil and Commercial Codes set the legal age at 21 Gregorian years. However, article 57 of Act No. 119 of 1952, concerning guardianship of property, permits a person to engage in commerce on reaching the age of 18 Gregorian years;

(c) Minimum age for marriage. In accordance with the provisions of the Regulation issued by the Minister of Justice on 10 January 1955, concerning officials authorized to conclude contracts of marriage, the minimum age for marriage is 16 years for females and 18 years for males in the case of Muslims. The Regulation issued on 29 December 1955 governing registrars appointed to solemnize marriages between adherents of other religions contains a similar provision;

(d) Minimum age for employment. According to the Labour Act No. 137 of 1981, the minimum age for employment ranges from 12 to 17 years. The Act prohibits the employment or training of persons under this age (art. 143). It stipulates that employment must be in accordance with the terms and conditions set by the Minister of Labour (art. 145). It further stipulates that juveniles can be employed for no more than 6 hours per day, interrupted by a rest period/mealtime of not less than one hour, and must not be required to

work more than 4 consecutive hours, at night or on rest days or holidays. The Children's Act No. 12 of 1996 prohibits the employment of children under the age of 14 Gregorian years and also prohibits the training of children under the age of 12 Gregorian years. However, it permits the employment of persons in the age group 12-14 years in seasonal work which is not prejudicial to their development, health or regular attendance at school at the discretion of the competent Governor and subject to approval by the Minister of Education (art. 14). It also specifies the working hours and rest periods applicable in such cases;

(e) Minimum age for the exercise of political rights. Act No. 73 of 1956, concerning the exercise of political rights, sets the minimum age for this purpose at 18 Gregorian years and defines political rights as the expression of an opinion in referendums and the right to elect members to the People's Assembly;

(f) Minimum age for military and national service. The Military and National Service Act No. 127 of 1980 sets 18 years as the minimum age for compulsory enlistment for military service in the case of men and for national service in the case of both men and women;

(g) Minimum age for trade-union membership. The Trade Unions Act No. 35 of 1976 sets 15 years as the minimum age for membership of trade-union organizations.

144. Legal protection of children. In this section, we will deal with the special protection that the legislature has accorded to children in the Penal Code, the Children's Act, the Prevention of Prostitution Act and other legislative enactments, such as the Civil Status Act, the Education Act and the Labour Act, in which various offences against children are designated as criminal offences. These criminal offences are detailed below:

(a) The Penal Code (Act No. 58 of 1937):

(i) Rape of a female without her consent. If the act is committed by one of the victim's ascendants or by a person responsible for her upbringing or surveillance or exercising authority over her, the penalty is increased to life imprisonment with hard labour (art. 267);

(ii) Indecent assault, or attempted assault, using force or threats. The penalty therefor is increased to a term of imprisonment with hard labour if the victim was under 16 years of age and is further increased to hard labour for life if this aggravating circumstance was combined with that referred to in the preceding article (art. 268);

(iii) Indecent assault committed against a person under 18 years of age but without using force or threats. The legally prescribed penalty for this is a term of imprisonment, which is increased to imprisonment with hard labour if the victim was under seven years of age or if the offender fell within the categories designated in article 267 (art. 269);

(iv) A penalty of imprisonment is prescribed for anyone who abducts, conceals, substitutes or falsifies the parentage of a newborn child (art. 283);

(v) The legally prescribed penalty for failure to deliver a child into the custody of the person entitled thereto is imprisonment or a fine (art. 284);

(vi) The legally prescribed penalty for exposing a child under seven years of age to danger by abandoning him or her in an uninhabited place is a term of imprisonment (art. 285). If the child dies or is afflicted with an infirmity as a result, the offender is liable to the penalties prescribed for those criminal acts (art. 286);

(vii) The legally prescribed penalty for exposing a child under seven years of age to danger by abandoning him or her in an inhabited place is a term of imprisonment or a fine (art. 287);

(viii) The legally prescribed penalty for the abduction of a child under 16 years of age through deception or force is a term of imprisonment with hard labour. If the abduction was effected without deception or force, the penalty is a term of imprisonment or, if the victim was female, a term of imprisonment with hard labour (arts. 288 and 289);

(ix) The legally prescribed penalty for parents or grandparents who fail to deliver a child into the custody or care of the person entitled thereto under the terms of a court order, or who abduct the child from the person entitled to exercise that right of custody, is a term of imprisonment or a fine (art. 292);

(x) The legally prescribed penalty for neglecting to exercise control over a child after a warning, if such neglect exposes the child to delinquency or to reversion to delinquency, is a fine (art. 20);

(xi) The legally prescribed penalty for neglect by a person holding custody of a child to fulfil his responsibilities, if such neglect leads to the commission of an offence or exposure to delinquency, is a fine (art. 21);

(b) The Prevention of Prostitution Act No. 10 of 1961:

(i) Incitement or enticement to engage in prostitution or other indecent acts, or aiding and abetting therein, is punishable by a term of one to three years' imprisonment, together with a fine, and the amount of the fine and the length of the term of imprisonment are increased if the offence was

committed against a person under 21 years of age or if it was committed through coercion, threats, deception or abuse of authority (arts. 1 and 2);

(ii) Anyone who incites or assists a person to enter or leave the country, or who employs or accompanies such person, for the purpose of engagement in prostitution or other indecent acts is liable to a penalty of one to five years' imprisonment, together with a fine, and the maximum term of imprisonment is increased to seven years if the offence was committed against two or more persons or through the use of coercion or threats (arts. 3 and 5);

(iii) If any of the offences referred to in the two preceding paragraphs are committed against a person under 16 years of age, or if the offender is an ascendant of the victim, the penalty is a term of three to seven years' imprisonment (art. 4);

(iv) Anyone who exploits the immorality of any person or helps a female to engage in prostitution is liable to a penalty of six months' to three years' imprisonment, which is increased to a term of one to five years' imprisonment if the offence involves the aggravating circumstances referred to in the preceding paragraph (art. 6);

(v) Anyone who opens, manages, leases or makes available premises to be used for prostitution or other immoral purposes or for habitual engagement in prostitution or other immoral acts, is liable to a term of three months' to three years' imprisonment and/or a fine and closure of the premises. The penalty is increased to a term of two to four years' imprisonment if the offender is an ascendant or responsible for the upbringing of the person engaging in prostitution or other immoral acts (arts. 8, 9 and 10);

(vi) Anyone operating or managing a public establishment or place of entertainment who employs persons engaged in prostitution with a view to facilitating their engagement therein or exploiting them in order to promote his establishment is liable to a term of up to two years' imprisonment, a fine and closure of the establishment for a period of three months and this penalty is increased, with permanent closure of the establishment, if the offender is an ascendant or responsible for the upbringing of, or in a position of authority over, the person engaging in prostitution (art. 11);

(c) The Narcotic Drugs Act No. 182 of 1960. Severe penalties are prescribed for narcotic drug offences in the following circumstances:

(i) If the offender uses for the commission of any of these criminal acts a person under 21 years of age, any of his

ascendants or descendants, his spouse, any person whose upbringing or custody is entrusted to him or any person who is effectively under his control and supervision (art. 34, para. 1);

(ii) If the offender supplies, delivers or sells the narcotic substance to a person under 21 years of age or induces such person to consume it by using any means of coercion, deception, incitement, aggression or facilitation;

(d) The Labour Act No. 137 of 1981. Under article 173 of the Act, any employer or manager responsible for violating the provisions of chapter VI, section 2, concerning the employment of young persons, and the implementing regulations pertaining thereto, is liable to a fine, which is assessed in proportion to the number of persons against whom the violation was committed and which is doubled in the event of a repeated violation. According to article 175 of the same Act, it is not permissible for a court to order suspension of the enforcement of these penalties. It should be noted that the new draft Labour Act raises the minimum age for employment to the age of completion of the stage of basic education. It also increases the amount of the fines prescribed as penalties for violations of the regulations concerning the employment of young persons;

(e) The Education Act No. 139 of 1981. Article 19 of this Act stipulates that it is a criminal offence for parents or guardians to violate the provisions concerning the compulsory period of education;

(f) The Civil Status Act No. 143 of 1994:

(i) Articles 19-29 specify the procedures concerning, and the persons responsible for, the notification and registration of births and the naming and registration of foundlings;

(ii) Articles 66 and 67 stipulate that it is a criminal offence to violate the provisions concerning the notification and registration of births;

(g) The Children's Act No. 12 of 1996. The Children's Act, which was promulgated on 28 March 1996, assembles and develops all the provisions concerning children as set forth in preceding legislation. It contains chapters concerning health care, social and cultural welfare, education, working mothers, the welfare of disabled children and the treatment of child offenders. Brief reference is made below to aspects of protection and assistance provided for in the Act and not already referred to in this report:

(i) Only medical practitioners and licensed midwives are permitted to practise the profession of midwifery. The penalty for violation of this provision is imprisonment and/or a fine (arts. 8-13);

(ii) Under the terms of the Act, anyone who conceals a child who is to be delivered into the custody of a person or an institution in accordance with a court order, and anyone who

induces or assists such a child to abscond, is liable to a penalty of imprisonment and/or a fine. However, parents, grandparents and spouses cannot be prosecuted for this offence (art. 115);

(iii) Under the terms of the Act, the penalty for exposing a child to delinquency or aiding or abetting therein is a term of imprisonment. If the offender is one of the child's ascendants or if he is responsible for the child's upbringing or supervision or has been awarded legal custody of the child, or if the offender uses coercion or threats, the penalty is a term of not less than three months' imprisonment. If the offence is committed against more than one child, the penalty is a term of not less than six months' imprisonment (art. 116).

145. Aspects of protection and measures prescribed in other legislation concerning children. A number of other legislative enactments make provision for measures concerning children. The most important of these are reviewed below:

(a) The Civil Code (Act No. 131 of 1948):

(i) Article 30 stipulates that births and deaths must be recorded in the official registers maintained for that purpose;

(ii) Article 38 stipulates that everyone must have a name and a surname;

(iii) Article 47 stipulates that persons lacking legal capacity or with reduced legal capacity are subject to the provisions of the Act concerning guardianship, tutorship and curatorship;

(b) Act No. 118 of 1952 concerning guardianship of person. The provisions of the Act specify the circumstances in which guardianship of person may be revoked or suspended in order to protect children. Article 2 of the Act stipulates that the guardianship of a child must be withdrawn from a person who has been convicted of one or more offences involving rape, indecent assault or prostitution or any other felonious acts committed against his ward. Article 3 stipulates that guardianship may be withdrawn or suspended in the following circumstances:

(i) If the guardian is sentenced to a term of imprisonment with hard labour or hard labour for life;

(ii) If the guardian is convicted of any offence involving rape, indecent assault or prostitution;

(iii) If the guardian is convicted of the offence of endangering, unlawfully detaining or brutally assaulting his ward;

(iv) If the guardian is placed in a welfare institution under the terms of a court order;

(v) If the guardian endangers the health, safety, morals or upbringing of his ward due to the guardian's ill-treatment, bad example, bad character, addiction or failure to provide care and guidance.

In such circumstances, the Act make provision for the welfare of the child through placement in his or her natural environment with a family member, with another trustworthy person or in a specialized institution;

(c) Act No. 119 of 1952 concerning guardianship of property. The provisions of this Act set forth the conditions governing the imposition and duration of guardianship, tutorship, custodianship, legal assistance and interdiction in order to protect persons deemed to lack legal capacity or to have reduced legal capacity. Under the terms of the Act, it is a criminal offence for guardians and the like to fail to fulfil their obligation to protect and safeguard the property of their young, interdicted or absent wards. A penalty of imprisonment and/or a fine is prescribed for anyone who, in breach of his civil responsibility, refuses to hand over property entrusted to him;

(d) The Nationality Act No. 26 of 1975. Article 2 stipulates that the following are deemed to be Egyptian nationals: anyone born to an Egyptian father, to an Egyptian mother and a stateless or unknown father or to unknown parents (foundlings are deemed to have been born in Egypt failing proof to the contrary). Article 6 stipulates that minor children acquire Egyptian nationality if it is granted to their father but retain the right to opt for their original nationality on reaching the age of legal majority. Article 11 stipulates that a person's relinquishment of Egyptian nationality does not entail its forfeiture by his minor children unless, under the law governing their father's new nationality, they are required to adopt that nationality while retaining the option to revert to Egyptian nationality on reaching the age of legal majority;

(e) The Labour Act 137 of 1981. Under article 158 of this Act, employers are required to establish a nursery either in their enterprise if they are employing more than 100 female workers or jointly with other enterprises operating in the same area. (The labour legislation permits the granting of periods of leave to female workers in order to take care of their children or travel with their husband, as already explained in section 2 concerning the protection of mothers.);

(f) The Education Act 139 of 1981. According to article 15 of this Act, all male and female children have a right to basic education, which is provided free of charge for an eight-year period from the age of six;

(g) The Children's Act No. 12 of 1996. The provisions of this Act regulate the manner in which children must be treated in cases involving criminal responsibility by prescribing special measures that are not viewed as penalties and by establishing special courts, which sit in camera and include among their members psychologists and sociologists, at least one of whom must

be a woman, to prepare reports on the child's situation. The Act makes provision for situations in which children are exposed to delinquency and social danger by prescribing rehabilitative measures designed to promote their reintegration in society and create conditions conducive to their proper social upbringing. The Act also makes provision for the establishment of welfare centres in which children can be placed if their interests so require. Moral aspects of the welfare of children are catered for, including their rights, equal treatment in regard to the welfare of working mothers, health care and cultural, educational and social welfare;

(h) The Students' Health Insurance Act No. 99 of 1992. Under the terms of this Act, the health insurance provisions apply to all schoolchildren at the various levels of education in order to ensure that these children enjoy all the health and social services.

146. Statistical indicators concerning children:

(a) The infant mortality rate declined from 76 per 1,000 in 1980 to 38 per 1,000 in 1990;

(b) The mortality rate among children up to five years of age declined from 10.3 per 1,000 in 1980 to 6 per 1,000 in 1990;

(c) The proportion of children receiving the triple vaccine and the vaccines against poliomyelitis, measles and tuberculosis rose to 89 per cent in 1992 (82.2 per cent for males and 92.5 per cent for females);

(d) The proportion of children enrolled for compulsory primary education amounted to 98.8 per cent in 1993.

Article 11

Improvement of the standard of living (food, clothing and housing)

147. The right to an adequate standard of living for Egyptian citizens and their families is the primary aim of all the State's overall development plans and is the focal point of the endeavours made by all the governmental and non-governmental agencies. This right is among the constitutional principles to which all the State authorities are committed, since article 23 of the Constitution stipulates that the aim of the overall development plans is to ensure an increase in, and equitable distribution of, national income and an improvement in the standard of living.

148. The phased overall development plans designed to improve the standard of living comprise the following:

(a) Economic plans to develop national resources and ensure the optimum utilization of these resources and the benefits derived therefrom in such a way as to secure a steady increase in national income. In spite of the difficulties arising from the increase in the population growth rate, these plans achieved notable success during the period from 1981 to 1991 when the annual growth rates of GDP and GNP amounted to 5.1 per cent and 5.5 per cent

and the annual growth rate in per capita share thereof amounted to 2.5 per cent and 2.2 per cent respectively. In 1990, the per capita share of national income amounted to $699;

(b) Plans to promote the equitable distribution of national income in order to increase the per capita share thereof. These scientifically based plans guarantee the equitable distribution, development and dissemination of these services throughout the Republic in accordance with fixed schedules with a view to ensuring a continuous improvement in living conditions, particularly in remote areas. These plans include health, educational, information, transport, communications, housing, food and clothing services;

(c) Plans to provide employment opportunities in order to eliminate unemployment and overemployment. In keeping with the trend towards the free market system, these plans are designed to encourage self-employment, the private sector and national and foreign investment in all fields in order to absorb manpower. At the same time, the State encourages the establishment of training centres and facilities to provide the human resources needed by the labour market. The State also makes it easier for job seekers to find employment abroad by facilitating their travel and reducing the fees and procedures for the issue of the requisite work permits. The establishment of small production enterprises is encouraged by the loans which the bodies concerned extend to young graduates and in cases of early separation from service. These plans include a number of gigantic national projects, such as the project to develop the Sinai peninsula by piping Nile water to it across the bed of the Suez Canal and the project to develop the southern part of the Nile Valley by excavating the New Valley Canal parallel to the River Nile in order to achieve wider population distribution on 25 per cent instead of 4 per cent of Egypt's territory, thereby helping to reduce the demographic pressure on the present developed areas;

(d) Plans to achieve a steady increase in the salaries of fixed-income government employees in order to offset the rising prices of services and commodities due to the trend towards the free market system. By virtue of these plans, incomes more than doubled during the period from 1987 to 1994. To this end, the State has also raised the minimum levels of taxable income so that a larger number of persons on low incomes can benefit. Tax exemptions are also granted in respect of some components of workers' incomes;

(e) Plans to provide full insurance coverage by extending the insurance umbrella to persons who do not benefit from pension and insurance schemes. To this end, the Government promulgated Act No. 66 of 1971 establishing the Nasser Social Bank, as well as Act No. 112 of 1980 concerning social insurance for all citizens over 65 years of age, in order to guarantee an appropriate and permanent income for the categories which, not being covered by other insurance schemes, were deprived thereof.

149. In short, these are the main aims that the State institutions are pursuing in order to improve the standard of living of Egyptian citizens. The provision of food, clothing and housing is dealt with in greater detail below.

Food

150. In Egypt, the food supply is one of the multifaceted problems from which differing political approaches have been adopted during relatively short periods of time. In the past, one of the most prevalent approaches consisted in the policy of the government subsidization of commodities, in which the State met all the needs for essential foodstuffs and their distribution among the population at appropriate (subsidized) prices. However, as a result of the rapid population growth, this became a heavy burden on the State budget and, in addition, failed to help the intended beneficiaries due to bureaucratic shortcomings in the management of the subsidization scheme.

151. This system plunged Egypt into a state of national economic instability due to the inevitable dichotomy between the subsidization scheme and the rapidly changing prices and the consequent sharp disparities in relation to wages, incomes and production. As a result, in the market economy the aim of the food supply policies has been to gradually abandon the subsidization system and formulate detailed plans and policies to increase the degree of self-sufficiency in the food sector by encouraging higher local food production.

152. These plans achieved an improvement in the average per capita share of food production, which rose by 18 per cent during the period from 1981 to 1991. Food imports constituted 37.5 per cent of the total commodity imports in 1991/92 and this percentage has been declining year after year. However, achievement of the strategic goal of increasing the degree of self-sufficiency in regard to food is being impeded by numerous problems, such as the rapid population growth, the inadequate area of agricultural land (7.7 million feddans) and other obstacles relating to production, irrigation, storage, marketing and processing. The requisite plans have been made to tackle these problems in collaboration with the agricultural cooperatives which are playing an important role in these fields, particularly by stimulating public awareness of these plans and securing approval for their implementation so that benefit can be derived therefrom.

153. The main components of the plans aimed at increasing the degree of self-sufficiency are as follows:

(a) Intensification of land reclamation in order to increase the area of agricultural land suitable for food production, taking care to increase the yield per feddan through the modernization of irrigation and drainage methods, the use of pesticides and measures to facilitate the acquisition of more highly developed agricultural equipment and machinery. The total area of land that had been reclaimed by 1993 amounted to 2,683,500 feddans;

(b) Measures to supplement the Nile waters with additional water resources, such as groundwater, for agricultural purposes (4.4 billion m^3 of groundwater have so far been pumped from the wells that were bored in the Delta and the Sinai peninsula) and to expand and develop the main irrigation network;

(c) Higher production of food crops using modern scientific methods and fertilizers. The production of grain crops rose from 8.6 million tonnes in 1981/82 to 17.3 million tonnes in 1996/97;

(d) Application of integrated agricultural pesticide programmes, which led to a reduction in the quantities of pesticides used;

(e) Protection of livestock resources through various immunizations against epidemic diseases, an improvement in the reproductive capacity of cattle and the application of artificial insemination methods. The production of red meat rose from 365,000 tonnes to 467,000 tonnes in 1996/97, while the production of poultry meat rose from 144,000 tonnes to 207,000 tonnes in 1996/97;

(f) Expansion of fishing and fish breeding operations. Production at the fish farms rose from 223,000 tonnes in 1993/94 to 320,000 tonnes in 1996/97;

(g) Extensive modification of marketing and pricing policies and provision of loans on easy terms for agricultural mechanization and land reclamation operations. In 1993/94, the total agricultural development loans amounted to LE 2,592 million;

(h) Encouragement of the cooperative production and agricultural sector by supporting and increasing the efficiency of production cooperatives (Act No. 110 of 1975) and agricultural cooperatives (Act No. 51 of 1969).

154. Notwithstanding the population growth, these intensive endeavours have achieved notable success. For example, in 1990, the degree of self-sufficiency in food amounted to 79.3 per cent and the level of dependance on imported foodstuffs declined to 22.3 per cent. In the case of some foodstuffs, such as rice, potatoes, vegetables, citrus and other fruits and synthetic cooking oil, these endeavours achieved considerable success that transcended the level of self-sufficiency and permitted exports. Self-sufficiency was also achieved in the case of curdled milk, eggs and poultry meat.

155. In order to meet local market needs for other foodstuffs, the Government relies on international United Nations programmes, food assistance provided by donor States and bilateral agreements designed to achieve a commodity balance in trade with other States, thereby ensuring that needs are met and that any surplus can be exported. The current trend is to liberalize foreign trade and allow scope for food import and export operations in accordance with the relevant international agreements.

Housing

156. The provision of adequate housing for citizens is one of the most important matters to which successive Egyptian Governments have given close attention. Since 1947, the legal approaches have involved State intervention to deal with this problem, particularly in the cities, by reducing rental values, establishing systems for their assessment and determining legal means to ensure the vacation of residential premises. As a result of these

policies, people became reluctant to invest in the construction of real estate for rent; they preferred to sell at a profit, which led to constant and excessive increases in the sale prices of housing units due to their short supply.

157. In this regard, the heaviest burden was borne by the State, which constructed more than 2.4 million housing units during the period from 1981 to 1994 (63 per cent low-cost housing, 24 per cent intermediate housing, 9 per cent superior housing and 4 per cent luxury housing).

158. The present plans for the provision of housing are based on the following main principles:

(a) Establishment of new development communities and incentives to encourage investors to engage in housing construction projects therein in order to benefit from the concessions and exemptions provided for in the New Development Communities Act No. 59 of 1979. The first phases of construction of eight new towns and communities have been completed and 11 others are currently under construction;

(b) Ongoing endeavours by the State to construct affordable housing for low-income groups, to deal with states of emergency and natural disasters and to provide low-interest loans on easy terms for persons wishing to purchase or construct housing units;

(c) Encouragement of the housing cooperative sector to provide appropriate housing units for low-income groups by reviewing the Housing Cooperatives Act No. 14 of 1981;

(d) A review of the legislation regulating the relationship between owners and tenants in order to encourage people to invest in the construction of real estate for rent. The recent Act No. 4 of 1996 repealed all the exceptional legislation that had been promulgated concerning the relationship between owners and tenants in the case of premises that had not previously been rented or which had been vacated in accordance with the law. The country has now reverted to the general principles governing leases, as set forth in the Civil Code, and Act No. 106 of 1976, which regulates construction work, has been amended by Act No. 101 of 1996 in such a way as to facilitate the onerous procedures involved in the granting of building permits. The aim of this recent legislation is to bring closed housing units onto the rental market, encourage owners to retain their rented real estate, and promote investment in the construction sector;

(e) Development of old districts in governorates which cannot expand into the desert, and the addition of new land, provided with the necessary facilities, in the case of governorates in which such expansion is feasible;

(f) The State is planning to rent the housing units that it constructs in order to stimulate the rental market and encourage owners to rent their property.

159. The following are some statistical indicators concerning the housing problem:

(a) Average annual number of housing units completed from 1952 to 1960: 56,000;

(b) Average annual number of housing units completed from 1960 to 1972: 20,000;

(c) Average annual number of housing units completed from 1980 to 1993: 123,000.

The total investments in the housing sector during the last 15 years amounted to LE 40 billion, of which 5.6 billion were invested last year.

160. The shanty towns that have mushroomed on the outskirts of the cities constitute one of the main problems facing Egypt in this regard. The State's plan to deal with them is based on the provision of alternative low-cost housing at affordable prices in order to vacate and develop those shanty towns. To this end, the fourth five-year plan made provision for LE 650 million in low-cost housing loans on easy terms at an annual interest rate of only 6 per cent.

Clothing

161. Although the supply of clothing in Egypt is not an urgent problem, the commodity subsidization policy that Egypt pursued from 1960 to 1980 and which was viewed as fulfilling the social function of providing citizens with essential commodities at prices consistent with their incomes, led to State intervention in this field and control over production and pricing in order to supply clothing at low prices. When the State turned towards the free economic system governed by market mechanisms, the subsidies were gradually withdrawn from most clothing commodities as part of the State's general policy. In order to keep pace with the steadily rising incomes, production has been encouraged through the promotion of local investments in this field.

162. In the textile, fabrics and clothing sector, Egypt has achieved considerable quantitative and qualitative progress as a result of the economic open-door policy and the subsequent market system which led to an increase in the number, productivity and efficiency of the enterprises operating in this field. Textile products are among the commodities that are exported and, in 1992, the total value of these exports amounted to LE 2,159.757 million.

Improvement in food production, conservation and distribution methods

Improvement in methods of agricultural production

163. In keeping with the above-mentioned policies and plans that it has formulated to ensure a sustained food supply, the Government has diligently endeavoured to strengthen the agricultural sector and develop its investments. These endeavours have achieved the following results:

(a) Investments in the agricultural sector amounted to LE 2.7 billion in 1993/94, as compared with LE 2.3 billion in 1992/93, i.e. an increase of 18.2 per cent;

(b) The area of agricultural land increased from 6.2 million feddans in 1982 to about 7.8 million feddans in 1996 as a result of the decline in the prices of new land and the possibility of purchasing it on easy terms or being granted title thereto subject to reclamation of the land;

(c) The crop-producing area increased from 11.2 million feddans in 1982 to 14.3 million feddans in 1994 as a result of more intensive cultivation;

(d) The value of agricultural production increased from LE 5.8 billion in 1982 to about LE 31.5 billion in 1993;

(e) The value of agricultural income increased from LE 4.1 billion in 1982 to about LE 23 billion in 1993;

(f) The value of crop production increased from LE 3.5 billion in 1982 to LE 21.8 billion in 1993;

(g) The value of livestock production increased from LE 2.3 billion in 1982 to LE 9.74 billion in 1993;

(h) Local fish production increased from 210,000 tonnes in 1982 to 345,000 tonnes in 1994;

(i) The value of agricultural exports increased from LE 471,000 in 1982 to LE 1.4 billion in 1995;

(j) The volume of cereal production increased from 6.8 million tonnes in 1982 to 17.3 million tonnes in 1995;

(k) The volume of vegetable production increased from 8 million tonnes in 1982 to 12 million tonnes in 1994, while the volume of fruit production increased from 2.6 million tonnes in 1982 to 5.5 million tonnes in 1994;

(l) The volume of credits for agricultural production increased from LE 1.2 billion in 1982 to LE 10 billion in 1994;

(m) The degree of agricultural self-sufficiency in wheat increased from 25 per cent in 1982 to 55 per cent in 1995;

(n) The volume of foreign food aid declined to 481,700 tonnes of cereals in 1992/93.

Improvement in marketing and distribution systems

164. With the exception of sugar cane, all agricultural transactions in Egypt are governed by the free market system. Since 1987, the compulsory procurement quotas and prices for more than 12 crops have been abolished, leaving the Government free to procure at its own discretion in order to

guarantee minimum income levels and continue to encourage agriculture. All the restrictions that were imposed on internal trade in some agricultural crops have also been lifted.

165. With regard to agricultural pricing policies, in order to ensure stable incomes for farmers, Egypt progressively increases the prices of most agricultural crops in the light of world prices and also increases the Government's compulsory procurement prices while guaranteeing the farmer's right to sell his produce at market prices and ensuring minimum prices for those crops.

166. In collaboration with international organizations and donor States, the Government is improving and developing the marketing systems for crops and establishing markets and local road networks to facilitate the transport of crops to distribution centres.

167. The development of food processing operations has also led to the use of modern scientific methods and systems in food canning and packaging operations in order to facilitate distribution and conservation in such a way as to ensure that food products are distributed to all areas in the country in properly equipped vehicles using the road networks.

168. In Egypt, markets are subject to constant control by the competent government agencies at the processing and distribution stages in order to ensure compliance with the quality standards and specifications for foodstuffs. The consumer cooperative sector plays a major role, through its large network of consumer cooperative associations which are found in all government agencies, enterprises and housing associations, in the marketing and distribution of consumer commodities at cooperative prices (Act No. 109 of 1975).

169. With a view to guaranteeing the safety and quality of foodstuffs, Egyptian law designates the adulteration of food as a criminal offence subject to the deterrent penalties prescribed in Acts Nos. 98 of 1945 and 10 of 1966.

170. Under the Children's Act No. 12 of 1996, children's food is protected by requiring it to meet certain specifications.

Article 12

The right to health care

171. The right of citizens to health care of all types and at all levels is based on the provisions of articles 16 and 17 of the Egyptian Constitution, under which the State undertakes to provide health services for individuals, to improve their standard and to make health insurance services available to all citizens.

172. In accordance with this right which is recognized and protected by those constitutional principles, to which all the State authorities and institutions are committed, numerous legislative enactments and decrees have been

promulgated to ensure health and health insurance coverage for all citizens, including administration of the compulsory vaccinations to prevent epidemic, endemic and occupational diseases.

173. In Egypt, the health system comprises numerous organizations, bodies and institutions that provide services for citizens. The Ministry of Health which, through its material and human resources, is the main contributor to the health system provides its services through a wide network of primary health-care units and centres which are found in all urban and rural residential areas. It provides general and specialized health services at large institutions in the administrative centres of the governorates and at smaller institutions and primary care units in district centres.

174. Health services are also provided by health insurance schemes, medical treatment foundations and some non-governmental organizations (charitable and religious associations), in addition to universities, schools and the private sector.

175. The health services provided by the Health Insurance Authority cover workers, pensioners and widows (students have also been included since 1993) in return for subscriptions paid by the beneficiaries, their employers or their organizations. The Authority runs a network of 25 hospitals and 116 clinics distributed among 16 governorates. The number of insured persons amounted to 5,120,000 in 1993, to which a further 10 million students were subsequently added during the same year.

176. The medical treatment foundations, which are government institutions, run a large number of hospitals in the Governorate of Cairo and in some of the governorates in Lower Egypt. Their services are enjoyed by students and workers under the terms of contracts, by other individuals at reduced rates, and are provided free of charge to the victims of accidents. The Ministry of Health funds the services that are provided independently to low-income categories.

177. The wide network of charitable associations and private clinics and hospitals provide a full range of services for all. The lowest fees are charged by the charitable associations and the highest by the private investment hospitals. The number of private associations operating in the field of health care amounts to 573 and the number of direct beneficiaries exceeds one and a half million.

178. As part of its obligation to provide health care for citizens, the State operates a system under which, in certain cases, citizens can travel abroad for treatment at the State's expense when treatment is not available within the country. In other cases involving extremely expensive treatment, the State bears the costs of treating patients in Egypt.

Effects of the enjoyment by citizens of the right to health care

179. In the health field, Egypt has achieved considerable progress in its pursuit of the goal of tackling health-care problems in a serious manner. In this regard, the development plans have four main components: plans concerning the institutions needed for health coverage, plans to provide

trained technical personnel, plans to promote health awareness at the national level and plans to improve the standard of health services and enhance the performance of the bodies and institutions providing them.

180. The development of health services during the period from 1981 to 1993 is illustrated by the following statistical indicators:

(a) 16.2 per cent increase in the number of beds at government hospitals;

(b) 88 per cent increase in the number of beds at health insurance hospitals;

(c) 59 per cent increase in the number of beds at medical treatment foundation hospitals;

(d) 56 per cent increase in the average attendance at outpatient clinics;

(e) 56.5 per cent increase in the number of inpatients;

(f) 74.4 per cent increase in the number of surgical operations performed;

(g) The number of hospitals and health service units amounted to 6,634 in 1993, representing an increase of 4.9 per cent in comparison with 1988;

(h) The number of endemic disease prevention units amounted to 2,364 in 1993, representing an increase of 4.6 per cent in comparison with 1988;

(i) The number of medical treatment units in rural areas amounted to 2,732 in 1993, representing an increase of 2.6 per cent in comparison with 1988;

(j) The number of endemic disease treatment units amounted to 3,148 in 1993, representing an increase of 2.2 per cent in comparison with 1988;

(k) The number of maternal and child care service units amounted to 2,961 in 1993, representing an increase of 2.1 per cent in comparison with 1988.

181. The success of the plans to ensure more efficient implementation of the health-care programmes led to an improvement in the general health of citizens, whose life expectancy increased from 49.5 to 62.5 years in the case of males and from 51.9 to 65.9 years in the case of females.

182. The four subparagraphs of article 12, paragraph 2, of the International Covenant under review are dealt with in detail below.

Endeavours to reduce infant and child mortality

183. The statistics show that significant progress was achieved in the reduction of infant and child mortality due to the efficient implementation of

the intensive maternal and child health-care programmes after the vaccination coverage rate of infants and children exceeded 95 per cent in 1994. According to the statistics:

(a) The infant mortality rate declined from 70 per 1,000 in 1981 to 37.9 per 1,000 in 1990;

(b) The mortality rate among children aged 1 to 5 years declined from 10.3 per 1,000 in 1981 to 4.2 per 1,000 in 1990;

(c) The maternal mortality rate declined from 0.8 per 1,000 in 1981 to 0.4 per 1,000 in 1990.

Improvement of environmental and industrial hygiene

184. Environmental hygiene. Egypt has recently witnessed an upsurge in concern for the environment, its natural components and measures to protect them from all forms of pollution. In order to keep pace with international efforts in this field, and as a reflection of Egypt's participation in the relevant international forums, the Environmental Act No. 4 of 1994 made provision for all the measures needed to protect the environmental components (air, water and soil) from all types of pollutants. In particular, it criminalized acts detrimental to the environment, established nature reserves and a specialized body on environmental affairs to formulate the plans, requirements and specifications needed to preserve the environment and curb violations thereof, set up monitoring networks in all parts of the country, introduced modern concepts of criminal responsibility including that of bodies corporate, prescribed fines the proceeds of which are paid into an environmental protection fund to remedy the damage caused by violations of the environment and its components, and provided an opportunity for serious popular participation in environmental conservation issues through environmental protection associations.

185. In this connection, the State is implementing the following environmental protection projects:

(a) Projects to plant trees along main and subsidiary roads and watercourses and to establish green belts around the major cities in order to reduce the rate of air pollution;

(b) Projects to protect water resources and coasts by obliging industrial enterprises which use them as dumping grounds for waste to install the requisite filtering systems in order to treat the waste before disposing thereof;

(c) Projects to convert garbage into organic fertilizer;

(d) Projects to relocate workshops, markets, cattle pens and parking lots outside residential districts.

By the end of 1994, the degree of completion of these projects ranged from 40 to 60 per cent.

186. Industrial hygiene. In tandem with the above-mentioned Environmental Act No. 4 of 1994, the Labour Act No. 137 of 1981 tackled conditions in the industrial environment. Its implementing regulations contained all the health requirements and specifications needed to ensure that workers enjoy the healthiest conditions in their industrial working environment in accordance with the prevailing international standards and in such a way as to fully guarantee their occupational safety and health.

Prevention of epidemic, endemic and occupational diseases

187. Endemic diseases. Endemic diseases are one of the basic targets of health-care plans in Egypt. As a result of these plans, units for the treatment of endemic diseases (comprising hospitals, rural units, mobile clinics and patient treatment centres) can now be found throughout the country where, during the period from 1989 to 1993, their number increased at a rate of 2.2 per cent to the present total of 3,148 units. The number of endemic disease prevention units likewise increased at a rate of 4.6 per cent during the period from 1988 to 1993 to the present total of 2,364 units. The aim of the latter units is to provide protection against bilharziasis, malaria and yellow fever and combat mosquitoes, diarrhoea and diseases caused by dehydration.

188. Preventive medicine. The endeavours made in this field cover many aspects, the most important of which are the operation of national monitoring systems to control the quality of the air, Nile water and locally produced and imported foodstuffs and to organize national compulsory vaccination campaigns as a preventive measure. These endeavours have succeeded in achieving a 95 per cent coverage rate for the compulsory vaccinations, as a result of which:

(a) The incidence of severe flaccid paraplegia declined to 0.8 per cent per 100,000 children under 15 years of age;

(b) The incidence of neonatal tetanus declined to 0.8 per cent per 1,000 live births;

(c) The incidence of diphtheria declined to 0.05 per cent per 100,000 of the population;

(d) The incidence of measles declined to 4.9 per cent per 100,000 children under 15 years of age.

The preventive endeavours include health measures and quarantine procedures to prevent the spread of epidemic and other diseases, particularly AIDS, and ensure the permanent health control of persons travelling abroad or returning therefrom, depending on their place of destination or departure.

189. Occupational diseases. With regard to the prevention of occupational diseases, the Labour Act No. 137 of 1981 contains all the stipulations required under the provisions of the ILO Occupational Safety and Health Convention, to which Egypt is a party. All places of work, including those of a governmental nature, are subject to the provisions of the Labour Act in this regard and all enterprises are subject to periodic inspection to

ascertain compliance with those stipulations. The competent authorities have an obligation to organize training courses to improve the efficiency and performance of persons working in the field of occupational safety and health. Any violation of those stipulations constitutes a punishable offence for which the offender bears criminal responsibility.

190. With regard to the treatment of occupational diseases, the labour authorities ensure that workers afflicted with these diseases are treated under the health insurance schemes and workers suffering from chronic diseases also enjoy special benefits, such as exceptional periods of leave on full pay until they are cured or until their situation stabilizes, under the terms of Act No. 112 of 1963 and Ordinance No. 259 of 1995, promulgated by the Minister of Health, specifying the chronic diseases that give rise to an entitlement to exceptional leave on full pay.

191. In this connection, a National Centre for Industrial Safety Studies has been established to examine and analyse serious accidents with a view to their future prevention, to conduct applied engineering and human research in this field and to organize training courses to promote greater preventive environmental awareness among workers. This Centre is equipped with special laboratories to analyse samples and conduct the necessary tests.

Assurance of medical services in the event of sickness

192. In fulfilment of its obligation to make health care available to citizens as one of their constitutionally guaranteed rights, the State is endeavouring to ensure that the concept of health care includes treatment. The State's plans in this field are based on the following three components:

(a) Local production of medicines, to be made available to citizens at affordable prices, with the possibility of importing medicines that cannot yet be produced locally;

(b) Obliging health insurance schemes to cover the costs of treatment and medicines, and expanding the scope of the schemes to cover family members and parents;

(c) The State bears the cost of the treatment of patients admitted to public hospitals in Egypt or sent abroad for treatment.

193. The number of citizens treated at the State's expense can be seen from the following:

Number treated in Egypt in 1993:	27,103	at a cost of LE	70,528,987
Number treated in Egypt in 1994:	42,411	at a cost of LE	103,943,449
Number treated abroad in 1993:	585	at a cost of LE	46,161,645
Number treated abroad in 1994:	854	at a cost of LE	57,247,609
Total	70,953		LE 277,881,690

Article 13

The legislative position in regard to recognition of the right to culture and education

194. Culture and education are among the cherished values which Egyptians hold in high esteem by virtue of their history and their time-honoured civilization. In fact, culture and education are among the national issues to which successive Egyptian Governments have accorded their full attention not only as a token of commitment to the constitutional principles, to the international Conventions to which Egypt has acceded or to the laws in force, but also as an expression of the firm conviction that education is the only way to approach and truly begin the reform and development processes needed for social progress, since it is the most effective means to nurture and utilize the unlimited capacities of human resources.

195. In keeping with this national awareness of the importance of culture and education, all the governmental, private and other bodies concerned have participated in the nationwide endeavours to promote education and the cultural and educational development plans are being implemented in conjunction with all the other development plans in a parallel and integrated manner. One of the national aims of the education plans is to ensure that all boys and girls of school age are enrolled for compulsory education, and to promote adult education and the eradication of illiteracy.

196. Cultural and educational issues are dealt with in articles 16, 18, 20 and 21 of the Egyptian Constitution, under which the State undertakes to make education services available to all, as a recognized right, to make primary education compulsory (an aim which has been achieved to a large extent), to ensure the independence of universities and scientific research centres, to provide education free of charge at all levels, and to regard the eradication of illiteracy as a national obligation for the fulfilment of which the capacities of the people must be mobilized.

197. The general philosophy underlying the State's plans in this regard is based on the text of the document proclaiming the Permanent Egyptian Constitution of 1971, in which the Egyptian people gave an unbounded, unrestricted and unconditional pledge to make every endeavour to achieve the following:

> "Peace for our world, being convinced that peace must be based on justice and that the political and social advancement of all peoples can be ensured only through the freedom and independent will of these peoples, and that no civilization is worthy of its name unless it is free from any type or form of exploitation.
>
> "Freedom for all Egyptians, realizing that the humanity and honour of the human person are the radiant principles that guide and direct the course of mankind's tremendous development towards its ideals, that the dignity of the individual is a natural reflection of the nation's dignity, and that the rule of law not only guarantees the freedom of the individual but also constitutes the sole basis of the legitimacy of authority."

198. The document proclaiming the Egyptian Constitution clearly indicates that the Government and people of Egypt are committed to making every endeavour to achieve world peace based on justice and respect for the will of peoples in a manner devoid of any type or form of exploitation.

199. The Government and people of Egypt are also convinced that respect for the humanity, dignity and honour of the human person is the only way to achieve sustainable development on a firm basis of knowledge, science and general culture.

200. The above-mentioned principles are the cornerstone on which Egypt's policy and plans are based in all fields at the international and local levels and their importance is reflected in the recognition of the need for mutual understanding, tolerance and friendship among all nations and races without any distinction, discrimination or exploitation.

201. In actual practice, Egypt is making effective and ongoing endeavours to promote peace and cooperation among peoples in all fields though the United Nations system, regional groupings and its bilateral relations with other States.

The legislative framework of the education system in Egypt

202. In keeping with the provisions of the Egyptian Constitution, and in the light of the above-mentioned general principles, article 1 of the Education Act No. 139 of 1981 stipulates that the aim of pre-university education is to provide Egyptian students with a comprehensive cultural, academic and nationalist education conducive to belief in God, in their country and in the values of charity, truth and humanity and to endow them with the fundamental values and knowledge needed for the affirmation of their human dignity and their ability to achieve self-fulfilment, contribute effectively to social development and pursue higher studies.

203. Articles 4, 15 and 50 of the same Act stipulate that, on reaching the age of six years, all male and female Egyptian children have a right to basic education without distinction or discrimination. The State undertakes to provide them with this compulsory education and their parents or guardians have an obligation to ensure that they receive it for a period of eight years. The father or guardian of a child who fails to enrol at, or regularly attend, a school is liable to a fine. The Act defines the stages and types of pre-university education in Egypt as follows:

(a) Stage 1: Compulsory primary education. This stage, which covers a period of eight academic years, is divided into five years of primary education and three years of preparatory education;

(b) Stage 2: Secondary and technical education. This stage, which follows the completion of basic education, comprises two types of education: three years of general secondary education and five years of advanced technical education or teacher training. The aim of technical secondary education is to provide technical training in the fields of industry, agriculture, commerce, administration and services, while the aim of the teacher training colleges is to provide teachers with the educational

qualifications needed to teach students at the stage of basic education. Article 10 of Act No. 139 of 1981 sets forth the age-related terms and conditions of admission to the stage of basic education. Admission to the stage of secondary education is based on a selection of applicants, in the light of their age and total grades, in each governorate in such as way as to ensure full equality among applicants;

(c) The stage of university education. University education, the duration of which varies depending on the field of specialization, is available to persons who have completed their secondary education. The universities are governed by the provisions of Act No. 49 of 1972, while the colleges and higher institutes run by the Ministry of Education are governed by Act No. 49 of 1963. Admission to universities and higher institutes is selective, being based on the total grades and tests of academic, technical or physical aptitudes in such a way as to ensure full equality among applicants. In this connection, it is noteworthy that the Supreme Constitutional Court has ruled that the exemptions from the above-mentioned requirement concern total grades which were granted in the case of some categories are unconstitutional.

204. Having reviewed the legislative position, we will now turn our attention to governmental endeavours, practical applications and statistical indicators concerning each of the above-mentioned stages of education in the sequence in which they appear in article 13, paragraph 2, of the Covenant forming the subject of this report.

Basic education

205. As a natural consequence of the State's guarantee of the right to education, plans concerning the education process have been a matter of great concern to the State, which is seeking to ensure the effective realization, furtherance and development of this right. Since 1960, Egypt's education plans have achieved considerable progress and education has become a matter of primary concern in Egyptian daily life. At the national level, one out of every four persons is either a student or a teacher at an official educational institution (this is a higher proportion than the world average of 20 per cent). The total investments in education during the period from 1982 to 1996 amounted to LE 12.4 billion.

206. In 1990/91 proportional government spending on education amounted to 3.9 per cent of GNP, which is equivalent to 9.8 per cent of the government budget, and investments in education during the last two years were four times higher than the investments budgeted for 1992.

207. The duration of compulsory education was increased from six to eight years by making the post-primary stage compulsory.

208. This official concern led to an intensification of the education awareness plans, which resulted in a notable increase in popular demand for education at its various stages. The Government consequently took the necessary measures to deal with the expected numerical increase at all educational stages and to absorb children at the compulsory and other stages

by formulating plans for the construction, replacement, modernization and expansion of educational premises, particularly after the October 1990 earthquake which destroyed 100 schools.

209. The notable progress that the Government has achieved in this regard is illustrated by the fact that, as compared with 1960 when there were 7,400 primary schools, 1,100 preparatory schools and 520 secondary schools, by 1993 there were 26,217 schools divided into the following categories:

1,335	kindergartens for children below the age of compulsory education,
15,900	primary schools,
6,012	preparatory schools,
1,295	secondary schools, and
1,351	preparatory and secondary technical education schools (commercial, industrial and agricultural).

A total of 15,236 schools were renovated or replaced during the period from 1991 to 1993 and 900 schools were constructed in 1993 alone.

210. As a result, the number of students enrolled for primary education jumped from 1.7 million in 1960 to 7 million in 1990 and the proportion of six-year-old children enrolled for the first year of primary education rose from 60.8 per cent in 1960 to 97 per cent in 1990 and 98.8 per cent in 1993 in spite of the increase in the population growth rate. This increase in the enrolment rate for compulsory education has also had an effect on the other stages of pre-university education, in which the number of persons enrolled increased from about 3.2 million students in 1960 to 12.5 million in 1990. This represents an annual growth rate of 3.2 per cent in primary, 8.7 per cent in preparatory and 6.7 per cent in secondary education.

211. With regard to the size of classes, the construction, expansion and renovation operations have helped to offset the numerical increase by reducing the number of students per class to 43.6 at the first compulsory stage, 41.5 at the second compulsory stage and 36 at the secondary stage.

212. Egypt has also made notable progress in the field of female education, which is an important social objective, particularly in the developing countries. During the period from 1960 to 1990, the ratio of girls to boys rose from 38 per cent to 44 per cent at the primary stage, from 28 per cent to 44 per cent at the preparatory stage and from 24 per cent to 42 per cent at the secondary stage.

Technical secondary education

213. Technical secondary education, which is the intermediate stage between compulsory and university education, is a matter of concern to the State since it is the stage at which the younger generation chooses fields of specialization, gains experience, develops its abilities and talents and

acquires the latest scientific and practical know-how needed to promote social development and meet future challenges. As already indicated, in accordance with the constitutional stipulation, education at this stage is free of charge at the government schools.

214. In the light of these objectives, the plans concerning the stage of technical education have attached great importance to endeavours to meet the social need for skilled labour familiar with the latest scientific techniques in various fields. In Egypt, technical education covers the fields of agriculture, industry, commerce, tourism and sports, while secondary education is divided into the categories of general and Azharite.

215. The State's plans in this regard have led to the following statistical achievements:

(a) The number of general secondary schools increased from 940 in 1987 to 1,295 in 1993, while the number of Azharite schools increased from 344 to 511 during the same period;

(b) The number of technical schools increased from 947 in 1987 to 1,196 in 1993;

(c) The number of male and female secondary education students increased from 564,678 in 1987 to 727,690 in 1993, i.e. an increase of 31.1 per cent;

(d) The number of technical education students increased from 901,271 in 1987 to 1,403,273 in 1993, i.e. an increase of 51 per cent;

(e) The number of Azharite secondary education students increased from 72,,69 in 1987 to 152,229 in 1993, i.e. an increase of 86.5 per cent;

(f) Proportional enrolment for technical secondary education increased from 52 per cent in 1987 to 67 per cent in 1993;

(g) The number of general secondary education graduates increased from 147,181 in 1987 to 156,313 in 1993, i.e. an increase of 16.7 per cent;

(h) The number of Azharite secondary education graduates increased from 12,214 in 1987 to 18,946 in 1993, i.e. an increase of 58.2 per cent;

(i) The number of industrial secondary education graduates increased from 85,356 in 1987 to 162,288 in 1993, i.e. an increase of 45.5 per cent. In the commercial field, the number of graduates increased from 128,926 in 1987 to 134,031 in 1993, i.e. an increase of 2.9 per cent. In the agricultural field, the number of graduates increased from 33,029 in 1987 to 37,946 in 1993, i.e. an increase of 14.4 per cent.

University education

216. In view of the general aims on which educational plans and policies are based, university and higher education is a matter of great concern in order to ensure that more opportunities are available for graduates from the

pre-university stage of education to enrol for higher education on the basis of the criteria of competence and total grades, and also in order to provide more opportunities for such enrolment through affiliation (on payment of higher fees) and in order to offer the wide variety of specialized academic courses needed to meet the direct needs of society. These plans have been highly successful, as can be seen from the establishment of numerous universities throughout the Republic (there were a total of 12 in 1993, not counting the Southern Valley University which was established in 1994). In addition to these universities, which comprise 203 faculties, there is also a network of technical institutes and specialized colleges run by the Ministry of Education, the number of which rose from 61 in 1981 to 122 to 1994.

217. The following are some statistical indicators concerning higher education in Egypt:

(a) The number of students enrolled at universities increased from 91,048 in 1989 to 147,490 in 1994/95;

(b) The number of students enrolled at public and private technical institutes and specialized colleges increased from 48,791 in 1981/82 to 81,099 in 1994/95;

(c) The number of male and female university students amounted to 542,602 in 1993;

(d) The number of male and female students graduating from the universities amounted to 95,526 in 1993;

(e) The number of male and female students enrolled at the technical institutes run by the Ministry of Education amounted to 104,940 in 1993 and the number of graduates in that year amounted to 47,015;

(f) The number of students enrolled for higher studies (doctorate) increased from 58,690 in 1981 to 89,510 in 1993;

(g) The proportion of the population holding university qualifications rose from 3.1 per cent in 1986 to 7.03 per cent in 1996.

Eradication of illiteracy

218. The eradication of adult illiteracy is a matter for which the Egyptian Government has shown great concern, since it requires the same concerted official endeavours as those devoted to the promotion of education itself but with greater scope for popular participation. The Social Fund for Development is playing a vital role in this regard by financing adult education programmes in which education classes are combined with income-generating activities in order to overcome one of the main problems impeding adult education programmes in Egypt. The President of the Republic issued a declaration proclaiming 1990-1999 the Decade for the Eradication of Illiteracy and this was followed by Act No. 8 of 1996 concerning national mobilization for the achievement of that aim.

219. With a view to achieving the maximum progress in this field, Egypt established the Central Agency for Adult Education to provide direct funding for programmes to train specialists in adult education and to provide training and mobilization grants for the governorates. The aim is to train 9,500 specialists so that they can educate half a million citizens in rural areas.

220. In collaboration with the United Nations Children's Fund, the State is combating female illiteracy in three governorates in Upper Egypt through the local community school programme, the primary school reform programme and the "reading for all" project. By virtue of this project, 25 per cent of the women in the areas that it covers are expected to become literate.

221. The Social Fund for Development is also contributing to adult education and literacy projects through its social development programme in collaboration with the Central Agency for Adult Education and some private associations.

222. Practical results and statistical indicators. As a result of these intensive plans and programmes, the illiteracy rate in the labour force as a whole (aged 10 years and above) declined from 64.6 per cent in 1960 to 45.6 per cent in 1986. This rate clearly shows the extent of the endeavours made, taking into consideration the high population growth rates during that period. Significant progress was made in reducing the high rate of female illiteracy, which declined from 78.3 per cent in 1960 to 13.3 per cent in 1986. The adult literacy rate in the age group 15 years and above rose from 25.8 per cent in 1960 to 44.5 per cent in 1986; in the age group 19 years and above it rose from 38.3 per cent to 65.5 per cent during the same period. The most notable increase was in the female literacy rate which rose from 12 per cent in 1960 to 31 per cent in 1986 in the under-15 age group and from 26.3 per cent to 56.1 per cent during the same period in the over-19 age group. During the last two years, the combined endeavours of the governmental and private sectors in Egypt have eradicated the illiteracy of 246,844 persons (189,639 males and 57,205 females) in the 15-35 age group.

Development of educational curricula, systems and premises

223. The new education policies, which are designed to keep pace with all the modern educational requirements, have led to the development of educational curricula and systems.

224. Since 1991, academic syllabuses at all stages of education have been reviewed by specialists working in collaboration with universities and research centres in order to benefit from international expertise and the conclusions of the national conferences that have been held in this regard. This review process has focused on the need to avoid cramming and repetition, to introduce new information into curricula and to add futurological and linguistic concepts conducive to sound character formation, such as education in the fields of international understanding, human rights, protection of the environment and natural resources, health awareness, tourism and traffic regulations.

225. This development process has also focused on scientific and practical aspects, the use of modern educational and scientific tools and methods and the encouragement of hobbies and sports.

226. Radio and television have played a role in these plans through the extensive broadcasting of self-tuition programmes and programmes for the various educational stages. Such programmes have also been prepared in collaboration with friendly States and international institutions. This development has extended to educational management systems through participation by parents' councils in the responsibility for school management, improvement of school conditions, enhancement of the status of teachers through the provision of financial incentives, and modernization of student-monitoring systems and final end-of-year examination systems, in which account is taken of the student's grades throughout the year in order to ensure diligent student, school and family monitoring and the firm implantation and absorption of information.

227. A specialized Public Authority for Educational Premises has been established to undertake the renovation, repair and construction of educational premises in accordance with international standards and criteria in such a way as to ensure that they discharge their educational mission in the most effective manner.

Liberty of parents to choose the school

228. In Egypt, parents and guardians enjoy full freedom to enrol their children at the State-run or private schools of their choice. The only restrictions in this regard concern the minimum age for admission to the first grade at the kindergarten stage, which is the stage preceding compulsory basic education.

229. The religious curricula are in conformity with the religion professed by the student.

Private educational institutions

230. The pre-university stage. Act No. 139 of 1981 permits the establishment of private schools for individuals and groups in all educational fields and stages on the condition that their basic curricula must be in accordance with the education system in Egypt, with the possibility of introducing modern teaching methods or adding subjects in order to facilitate a more intensive study of foreign languages.

231. The stage of university education. Act No. 101 of 1992 permits the establishment of private universities to help to improve standards of education and scientific research. Four such universities have been established under the terms of Presidential Decrees Nos. 343, 344, 345 and 346 of 1996. Act No. 52 of 1970 permits the establishment of private higher institutes for advanced studies or for studies for a period of two academic years in order to help to achieve the educational goals set in the development plans. These institutes are subject to governmental supervision in accordance with the national educational plans, programmes and policies. These private governmental institutes, which admit applicants holding the certificate of

general or technical secondary education, award recognized academic degrees (bachelor's degree, master's degree or diploma). The latter Act established a fund to support private higher institutes so that they can continue to discharge their mission, improve their services and maintain an appropriate standard of education.

Article 14

232. As already indicated in detail in the comments on article 13 of the Covenant forming the subject of this report, in accordance with the provisions of the Egyptian Constitution of 1971 the State is committed to the principle of compulsory education at the primary stage and, subsequently, at other stages and its provision free of charge at all stages. In keeping with this principle, Act No. 139 of 1981 made education compulsory for a period of eight years at the preparatory as well as the primary stages. Article 54 of the Children's Act No. 12 of 1996 stipulated that all children have a right to education free of charge at State-run schools.

233. The efforts made by the State in recent years succeeded in achieving an absorption rate of 98.8 per cent for compulsory basic education in 1994 and plans are being made to increase this rate to 100 per cent during the current year.

Obstacles impeding the education process

234. In Egypt, the education process is facing a number of obstacles, particularly the lack of the investments needed to construct new schools, maintain the absorption rate, keep pace with population growth, reduce the size of classes and replace or renovate existing schools. The process is also being impeded by the rising drop-out rates from the compulsory stages of basic education due to the tendency of students to seek employment in order to ease the economic burdens of their families, and by the shortage of adult education specialists, the difficulty of finding time for education when the persons in need thereof have to earn a living through employment and, finally, the need to improve the financial and professional standards of teachers.

Future education plans

235. In spite of the success achieved by the plans to develop education and eradicate illiteracy, the Government is continuing to formulate many other ambitious plans for the future. The aim of these plans is not only to maintain the high registration and enrolment rates that have already been achieved but also to improve them even further and endeavour to overcome the obstacles, difficulties and problems that are being encountered. The overall aim is as follows:

(a) In education:

(i) To improve the professional and financial standards of teaching staff and their assistants by establishing the special colleges and institutes needed to provide teachers with the requisite training in all fields of specialization;

(ii) To speed up the construction of educational premises so that the size of classes can be reduced, and to modernize and expand existing premises in order to absorb the projected ongoing increase in enrolment, particularly since Egypt has extended the duration of compulsory basic education from six to eight years as already indicated;

(iii) To continue to develop and modernize educational curricula in a manner consistent with the latest educational and academic requirements, particularly through the inclusion of educational subjects relating to the principles of human rights and freedoms and the relevant international instruments to the provisions of which Egypt is committed;

By virtue of the development loan agreements that it has concluded with the International Development Association since 1994, Egypt is implementing a project to develop basic education and make it more accessible through a programme to construct and maintain schools, improve the standard of teaching and strengthen managerial abilities in the fields of planning, policy analysis and the establishment of priorities;

(b) In the eradication of illiteracy:

(i) To continue the intensive implementation of plans to eradicate illiteracy, with future emphasis on rural areas and women;

(ii) To prepare the programmes needed to train adult education specialists;

(iii) To create appropriate conditions for people to benefit from literacy programmes through regular attendance by introducing a system under which they can attend classes while continuing to engage in income-generating activities;

(iv) To formulate the programmes needed to deal with the problem of drop-outs from the compulsory stages of education and prevent them from reverting to illiteracy.

236. Egypt's diligent endeavours to promote education undoubtedly reflect its sincere desire to equip the younger generation with the knowledge and abilities needed to meet the challenges of the future. However, the continued pursuit of this aim depends on the availability of the funds needed for the development plans in this regard, which exceed the budgetary resources and capacities of a developing country. Consequently, as a firm matter of principle, there is a vital need for international assistance and cooperation as provided for in article 2 of the International Covenant on Economic, Social and Cultural Rights. There is also a need for a mutual exchange of experience, as provided for in article 24 of the United Nations Declaration on Social Progress and Development.

Article 15

The legislative position in regard to recognition of the right to culture and scientific research

237. As stipulated in articles 47, 48 and 49 of the Egyptian Constitution of 1971, the State guarantees freedom of scientific research and literary, artistic and cultural creativity and undertakes to provide the means needed to encourage them. The State also guarantees freedom of opinion and of all means of expression within the limits of the law. Freedom of the press, printing and publication is guaranteed and censorship of newspapers, publications and the information media is prohibited except in time of war or emergency, in matters relating to social harmony or in the interests of national security within the framework defined by law. Following the referendum held on 22 May 1981, new articles were added to the Constitution under which the press was designated as an independent popular authority which discharges its social function in a free and independent manner by various means of expression within the framework of respect for the fundamental constituents of society and for public rights, freedoms and obligations, it being clearly understood that journalists have a right to obtain news and information (arts. 206, 207 and 210).

238. Egyptian legislation is in conformity with those constitutional principles, as can be seen from the following.

239. The Copyright Protection Act No. 354 of 1951. Article 5 of this Act recognizes the exclusive right of authors to disseminate their works, to determine the manner of this dissemination and to exploit their works financially in whatever manner they choose. No third party can exercise this right without prior written authorization from the author or his successor. The Act covers all written, graphic and audio-visual works in circulation, as well as computer programmes, databases and associated research, and this protection also extends to the author's name and to translations. Article 43 stipulates that the author has a right to seek protection from any unauthorized infringement of his copyright by applying for an order from the president of a court of first instance, who may suspend publication, issue a sequestration order, halt public performance and assess the income due to the author without prejudice to any right of appeal. Article 20 sets the duration of protection at 50 years for literary works and 20 years for computer-related copyright, which is in keeping with the relevant international conventions (Berne and GATT). Article 47 designates infringements of copyright as criminal offences punishable by a fine. Repeated offenders are liable to a penalty of imprisonment and/or a fine, with the possibility of closure, confiscation and publication of the judgement in newspapers at the convicted person's expense. This protection extends even to works published abroad.

240. The Press Regulatory Act No. 96 of 1996. This Act reiterates the constitutional principles concerning the press. Articles 1 and 3 stipulate that the press shall discharge its function in a free and independent manner with a view to creating a free environment for social development and progress through enlightened knowledge, the expression of criticism and the publication of news. Articles 4-8 prohibit censorship of newspapers except in time of war or emergency or in the interests of national security. It is prohibited to

confiscate or suspend the publication of newspapers by administrative means. The right of journalists to obtain and publish information and statistics is recognized.

241. State prizes and international cooperation. In keeping with its commitment to propagate, develop and promote scientific research and creativity in all fields and to encourage international contacts and cooperation, the State awards annual prizes to reward and encourage Egyptians in all cultural, scientific and literary fields. These prizes are governed by the provisions of the following Acts:

(a) Act No. 12 of 1972 concerning civilian medals and decorations. This Act made provision for the award of decorations to persons who render outstanding services to the nation in the field of science, literature, the arts or sports or to outstanding employees of the State. Orders of merit may also be awarded to exceptional performers in these fields or in agriculture, industry, commerce, sports, youth affairs, public service or public order or security;

(b) Act No. 37 of 1958 concerning State prizes for intellectual production and to encourage science, literature, the arts and sociology. This Act, as amended by Act No. 161 of 1980, made provision for 15 prizes to reward merit (known as "State prizes for intellectual production") and 56 incentive prizes (known as "State prizes to encourage science, the arts, literature and sociology") distributed as follows:

	Prizes to reward merit	Incentive prizes
Science	5	32
Sociology	4	6
Literature	3	6
Fine arts	3	6
Law and economics	-	6

The prizes to reward merit are awarded annually to citizens who have distinguished themselves by their intellectual production, while incentive prizes are awarded for the best works in literary and other fields. The prize winners are chosen by specialized committees in accordance with objective rules and on the basis of scientific or academic appraisal;

(c) Act No. 49 of 1984 concerning the State prize for artistic creativity. This Act made provision for the award of a State prize for artistic creativity in the fields of culture and the arts. The prize winner is entitled to spend up to three years at the Egyptian Academy at Rome at the State's expense in order to benefit from international expertise in the fields of specialization covered by the prize, namely all branches of the fine arts, the history of art, Egyptian archaeology, artistic restoration, literature, music, the cinema and the theatre;

(d) Act No. 132 of 1949 concerning patents and industrial designs and inventions. This Act safeguards patent rights by providing them with legislative protection through official registration, in the holder's name, with the competent authorities so that they can be exploited in the manner

determined by the patent holder. Patents are granted in respect of any new industrial invention, design or model. The Act specifies the conditions under which they can be protected and prescribes penalties of imprisonment or fines for infringements of patent rights. Patent holders are entitled to demand application of the provisions of the international conventions concerning industrial property to which Egypt has acceded if such conventions protect their interests more effectively.

Egypt's endeavours to develop and promote culture and scientific research

242. Egypt has endeavoured to promote science and culture throughout the ages. It has enjoyed high repute in this regard for thousands of years since the time of the Pharaohs, whose civilization was based on scientific achievements the secrets of which experts are still trying to discover. The Alexandrian library subsequently played a unique role in the post-Pharaonic period. In fact, this historical and cultural background has left its mark on the mentality and behaviour of the Egyptian people, who are characterized by their love of culture, science, the arts and literature. These characteristics have been firmly implanted, sustained and developed over the ages by Egypt's Pharaonic, Islamic, Coptic and Greek legacy which has been, and will remain, a pole of attraction for tourists and scientists from all parts of the world. This cultural legacy also qualifies Egypt to play a prominent role in this regard at the local, regional and international levels.

243. In Egypt, governmental responsibility for the promotion of culture and science is borne by the Ministry of Information, Culture and Scientific Research. These three aspects are considered in a certain amount of detail below.

Information

244. During the last three years 1993-1995, Egypt has made significant progress in extending the scope of audio-visual information services throughout its territory in order to secure every citizen's right of direct access to these services so that everyone can become acquainted with the achievements of modern science, keep abreast of international events and enjoy an appropriate environment conducive to a closer understanding of current situations and future prospects. In general, the aim of Egypt's information media is to provide updated coverage of public problems and promote the exercise of democracy more effectively through dialogue and discussion. The practical implementation of information plans has produced the following results:

(a) There are now eight television channels operating in Egypt, including five regional channels broadcasting from Alexandria, Ismailiya, the Central Delta, northern Upper Egypt at El-Minya and southern Upper Egypt, in addition to 22 radio stations of which 10 are regional;

(b) In 1994/95, the number of television transmission hours amounted to 39,653 at an average rate of 108 hours per day, as compared with 31,347 hours at an average rate of 91 hours per day during the preceding year. In 1994/95, the number of regional transmission hours amounted to 23,241 at an average rate of 64 hours per day;

(c) In 1994/95, the average number of radio broadcasting hours amounted to 334 per day, i.e. an annual total of 121,900 hours;

(d) Egypt has established an international Nile TV channel which broadcasts in English and French;

(e) An Egyptian satellite channel has been established and preparations are being made to launch the first Egyptian satellite so that special educational, sports and children's channels can be introduced;

(f) A Media Production City has been established to produce competitive television programmes and increase media production to thousands of hours;

(g) The Egyptian information media have been strengthened through modernization of their installations and equipment, as a result of which the present broadcasting stations have become extremely powerful.

Culture

245. The philosophy on which the Government's approach to cultural issues is based is that the development of culture through familiarization with the experiences and expertise of others is the most effective way to promote social development and intellectual homogeneity not only among members of society but also among peoples, and to keep abreast of changes, respond to events and stimulate a spirit of responsibility and participation in the face of both international and local problems.

246. The establishment of an appropriate environment for creativity and innovation forms the basis of cultural activity. Accordingly, the State nurtures the talents of innovative persons in all artistic and cultural fields by providing specialized artistic centres endowed with the most modern equipment and facilities, and also by arranging the translation of Arabic literature into other languages and vice versa, by publishing cultural magazines and by organizing participation in local and international exhibitions and competitions.

247. In Egypt, culture and knowledge are disseminated mainly through books. The Government-sponsored Public Authority for Books is responsible for dealing with the difficulties arising from the high costs by publishing popular editions with low-cost production requirements. The Authority publishes the "Heritage" books, as well as cultural magazines and translations, and Egypt relies to a large extent on its network of bookshops in order to make books available to citizens in all parts of the country. Annual international book exhibitions are also held.

248. A Cultural Development Fund has been established to provide loans on easy terms for the production of cinematographic films and the establishment and operation of cinemas and theatres. The Ministry of Culture, in collaboration with foreign experts, also produces documentary films, organizes national film festivals and offers incentives for outstanding theatrical and cinematographic works and performances.

249. Operations to restore Islamic and Coptic monuments and relics are among the principal functions which the Ministry of Culture undertakes in collaboration with international organizations and foreign States.

250. Mrs. Suzanne Mubarak, the wife of the President of the Republic, is patronizing a national campaign to establish children's libraries and promote the "reading for all" project, the aim of which is to make books available to children and other citizens in all residential areas and communities.

251. Some statistical indicators:

(a) The number of archaeological museums increased from 5 in 1981 to 32 in 1995;

(b) The number of cultural centres increased from 196 in 1981 to 292 in 1993;

(c) The number of visitors to cultural exhibitions held outside the country increased from 2.2 million in 1981 to 9.4 million in 1993.

252. Scientific research. Scientific research, which is one of the three principal vehicles for the diffusion of knowledge and culture, forms an integral part of the Government's plans and concerns. Technological development is one of the cornerstones of the Government's policy, particularly in the field of international cooperation with specialized agencies and foreign States. The Government's policy of promoting the transfer of advanced technology and encouraging Egyptians engaged in scientific research is being implemented by the Ministry of Scientific Research, the national centres and the specialized scientific institutions. The following national research centres and institutes are working in this field:

(a) The Academy of Scientific Research and Technology. This Academy is developing the expertise of scientific staff, providing financial support for scientific theses, conducting national campaigns to improve the principal grain crops (wheat, rice and sorghum) and expanding the base of the local processing industry by promoting the use of local raw materials;

(b) The National Research Centre. This Centre, which operates within the framework of the programme to protect the environment (air, water and soil) of Greater Cairo from pollution, provides guidance and advice in this regard;

(c) The Petroleum Research Institute. This Institute is concerned primarily with the processing of petr[illegible]m deposits and petroleum production and transportation services;

(d) The Metal Research and Development Centre. This Centre specializes in the production of the basic spare parts needed for capital goods, the production of minerals and the improvement of their specifications (manganese, white sand, zinc, chromium, cast iron and Egyptian aluminite);

(e) The National Institute for the Marine Sciences and Fisheries. This Institute monitors marine pollution and its effects on fish production and is endeavouring to increase fish production at fish farms and fisheries by developing fishing methods;

(f) The National Institute for Astronomical and Geophysical Research and the National Agency for Remote Sensing and Space Science. Both of these are engaged in the modernization of satellite monitoring stations, the conduct of magnetometric surveys and space research, the preparation of a network to monitor seismic activity and the analysis of satellite data and soil maps;

(g) The Theodor Bilharz Research Institute. This Institute is working within the framework of the plan to eliminate bilharziasis, epidemic hepatitis, non-pulmonary tuberculosis and Fasciola and is engaged in research to treat these diseases;

(h) The Electronic Research Institute. This Institute is working on the computerization of the spinning and weaving industry and the compilation of databases on the relevant professional associations and scientific relations;

(i) The Ophthalmic Research Institute. This Institute is working within the framework of the national campaign to eliminate the eye diseases that affect children of primary school age with a view to monitoring and improving the methods and results of treatment;

(j) The National Standardization Institute. This Institute is engaged in quality control and verification of specifications, weights and measures in all fields of production and services.

253. The Mubarak Scientific Research, Applications and Technology City, which will cover all fields of scientific research, is one of the most important projects currently being implemented by the Government. Interim plans are also being made to develop and modernize the existing network of scientific research institutes.

Freedom of scientific research and creative activity

254. As already indicated, Egypt's Constitution and legal system guarantee freedom of scientific research and creative activity, as well as freedom of publication. This freedom is a natural reflection of the democratic climate on which the country's system of government is based.

255. In Egypt, freedom of scientific research, creative activity and publication is not subject to any restrictions other than those provided for by law in order to preserve the freedoms, rights and obligations of others, protect privacy, maintain public order and security and protect public morals from pornographic or irreligious publications.

256. The rule of law and the independence of the judiciary constitute a fundamental safeguard against any infringement of this right and against any practices prejudicial to third parties in the light of the general rules already referred to in Part One of this report.

International cooperation

257. Scientific research, cultural and literary activity, the information media and the various arts are undoubtedly among the most successful fields of international cooperation since the exchange of experience and fair competition are the two wings on which talents can rise to new horizons of creativity and innovation through the enhancement of skills and abilities.

258. Egypt believes that international cooperation in these fields is the only way to achieve overall development and ensure that future generations will be capable of absorbing and benefiting from modern scientific techniques in all fields. Some important fields of such cooperation are mentioned below:

259. Archaeology. In Egypt, the discovery, excavation and restoration of antiquities is an important field to which special attention is paid in the international cooperation programmes that are implemented through international organizations, bilateral agreements with other States and scientific missions. International cooperation in this field covers the establishment and development of museums, completion of the rescue of the Nubian monuments and the restoration of numerous Islamic, Coptic and Pharaonic monuments.

260. Cultural relations. Egypt holds international, regional and national arts festivals and participates in those held abroad. It also organizes international book and art exhibitions, participates in those held abroad, hosts foreign artistic delegations and organizes Egyptian weeks for the display of local art and literature in foreign States. In addition, there is an exchange of media, artistic and literary production with other countries throughout the world and literary works are also translated.

Conclusion

261. From the above review of the endeavours made in connection with the rights recognized in the International Covenant forming the subject of this report, it is clear that Egypt is doing its utmost, within the limits of its resources and the constraints of its circumstances, to achieve the optimum realization of all the rights enshrined in the said International Covenant through its constitutional and governmental institutions at various levels and also through non-governmental organizations and voluntary endeavours on the part of its citizens.

262. While submitting this report to the distinguished Committee, Egypt wishes to express its readiness to reply to any questions that might be raised by the experts on the Committee and to provide the Committee with any information that it might request.

263. Finally, Egypt wishes the distinguished Committee every success in its enormous tasks, hoping that its diligent endeavours will ensure a decent life for mankind as a whole.